

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 28, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 28, 2013**12:30 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- JUROR # 1 PRESENT. Colloquy with Juror #1 regarding concerns with Juror's medical condition and grandmother's past complications.

OUTSIDE THE PRESENCE OF THE JURY. Mr. Santacroce moved to have Juror #1 excused. State objected.

As to the Motion in Limine with regard to witness Karen Peterson, Ms. Stanish argued Ms. Peterson refers to 404(b) evidence that the Defense was not given notice to. Arguments by Mr. Staudaher and clarification as to what Ms. Peterson will testify to. COURT ORDERED, Ms. Peterson can testify.

JURY PRESENT. Testimony and Exhibits presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. Arguments by Counsel with regard to the definition of immunity. Court noted this is a matter of semantics and Directed Counsel to proceed by using the

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phrases "immunity from statement" and "immunity from prosecution". COURT ORDERED, as to Juror #1, Court requested an unofficial rough transcript of the juror's statements for review.

Court recessed for the evening.

5/29/13 9:00 AM PETROCELLI HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 29, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 29, 2013**9:00 AM****Petrocelli Hearing****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Debbie Winn**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Testimony and Exhibits presented. (See worksheet)

COURT ORDERED, matter CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 29, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 29, 2013**12:30 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Debbie Winn; Patti Slattery**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony and Exhibits presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. On the issue of the report proposed by Mr. Santacrocce, Ms. Weckerly informed it seemed the witness is confused with the two reports. COURT ORDERED, witness can be asked what he knew about the report. As to the Health District report, Mr. Staudaher argued that this report is from a public agency charged with producing an investigative report of their findings for the purpose of disseminating the information to the public. Court requested a copy of the report. Mr. Wright effectuated his objection on behalf of Defendants; Mr. Santacrocce joined. Court Advised the issue will be revisited.

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 30, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 30, 2013**9:45 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony and exhibits presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding trial scheduling an possibility of longer days or earlier mornings. Mr. Wright objected asserting that his client, Dr. Desai has been unable to make doctors appointments and reiterated his concern with Dr. Desai's diminished capacity. Court noted Mr. Wright's objection and Advised trial days of 9AM to 5PM will stand.

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 31, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 31, 2013**9:30 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony and exhibits presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. Court noted the Jury's concerns of the trial proceeding in a timely manner and Advised Counsel of the possibility of starting the trial thirty minutes earlier on Mondays and thirty minutes later on Fridays to accommodate Mr. Wright's requests. Colloquy regarding the Petrocelli Hearing continuation.

JURY PRESENT. Further testimony and exhibits presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. COURT ORDERED, Petrocelli Hearing CONTINUED.

Court recessed for the evening.

6/6/13 9:00 AM PETROCELLI HEARING

PRINT DATE: 12/10/2013

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Minutes Date:

June 04, 2010

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 03, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 03, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Also present: Han Trieu, Vietnamese Interpreter; Antonia Killebrew, Esq., and witness Huynh Nguyen. COURT ORDERED Mr. Nguyen to answer any questions as deemed relevant and FURTHER ORDERED witness to disclose the net amount received.

Mr. Staudaher informed that exhibits 1-163 with the exception of 24-26, 43, 87, and 162 have been stipulated to. COURT ORDERED exhibits ADMITTED.

JURY PRESENT. Testimony and exhibits presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding scheduling, witness lineup, and juror issues.

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 04, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 04, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- JURY PRESENT. Testimony and exhibits presented. (See worksheet.) Pursuant to CONFERENCE AT BENCH, Court Instructed the Jury to consider the testimony of the current witness toward Defendant Lakeman only.

OUTSIDE THE PRESENCE OF THE JURY. Court noted Mr. Wright had approached the bench to request clarification on which Defendant this testimony is admissible toward. Arguments by Mr. Wright regarding the witness testimony in reference to Defendant Desai and request for a mistrial. Court Recorder replayed the testimony of the witness. Further arguments by Counsel. Court Finds the State did not engage in willful misconduct and ORDERED, Motion for Mistrial DENIED. Court Advised an additional instruction will be given to the jury and directed the State to inform the witness not to make any statements as to what Defendant Lakeman said about Defendant Desai.

JURY PRESENT. Court Instructed the Jury to disregard the last question and answer, and reminded that any statements by this witness are admissible only to Mr. Lakeman. Further testimony and exhibits presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. Court noted an objection was made by the State citing that the incident is not isolated to two days alone. Objections by Mr. Wright. Further arguments by Counsel regarding admissibility of the other infected patients. Court Directed State to determine

whether there may be exculpatory evidence toward Deft. Lakeman with regard to the testimony of Mr. Labus.

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 05, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 05, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted; Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Upon inquiry of the Court, State informed there are over 100 other patients infected of the approximately 63,000 patients who received letters. Court stated it is inclined to allow the State to say that the approximately 109 patients were infected and they could not be attributed to another source but are not definitively linked to the clinic. Further arguments by Counsel. Court Directed Mr. Wright to proceed with his intended line of questioning but Advised if the he challenges this witness' reasoning, Court will not limit the witness' testimony.

JURY PRESENT. Testimony and exhibits presented. (See worksheet.)

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 06, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 06, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony and exhibits presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. Ms. Stanish raised concerns regarding Ms. Sampson's testimony with respect to the basis for her analysis. Colloquy regarding jury's concern regarding scheduling. Mr. Wright stated he doesn't want to jeopardize Deft Desai's health by having longer trial days. Court noted trial days have not gone past 5:00 PM and the Court is simply reporting the jury's concerns.

JURY PRESENT. Further testimony and exhibits presented. (See worksheet.)

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 06, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 06, 2013**9:00 AM****Petrocelli Hearing****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Testimony and exhibits presented. (See worksheets marked Petrocelli Hearing 5/29 & 6/10/13.)

Arguments by Counsel. Comments by the Court. Matter TRAILED.

BOND (Both)

*CLERK'S NOTE: Court ruled on the above matter during trial. See Minute Order dated 6/11/2013./kh

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 07, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 07, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding Juror #6. Mr. Santacroce raised concerns regarding Deft. Lakeman's bail, requested bond be exonerated and Defendant released on his Own Recognizance. Matter TRAILED.

JURY PRESENT. Testimony and exhibits presented. (See worksheets.)

OUTSIDE THE PRESENCE OF THE JURY. Colloquy and arguments by Counsel as to whether the State was leading the witness, Nancy Sampson. COURT FINDS, there is no prejudice as the document is already in evidence and ADMONISHED the State to ask open-ended questions and refrain from leading. Mr. Wright moved to strike the testimony of Nancy Sampson and certain exhibits; arguments in support thereof. Arguments by Mr. Staudaher in opposition. Comments by the Court. Further arguments by Counsel. COURT ORDERED, she can summarize the records but beyond that, including testimony regarding how many were used, that part is STRICKEN.

JURY PRESENT. Further testimony and exhibits presented. (See worksheets.)

OUTSIDE THE PRESENCE OF THE JURY. Colloquy and argument regarding witness Rod Chaffee. Request by Mr. Santacroce to limit Rod Chaffee's testimony to what he observed as he is an RN and not as a CRNA. COURT ORDERED, Mr. Chaffee can testify on aseptic technique.

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 10, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 10, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Rivera-Rogers, Mariteresa	Attorney
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY.

Mr. Santacroce requested Deft. Lakeman's bail be exonerated. Arguments by Mr. Staudaher in opposition. Court advised the motion will be considered further.

With regard to the outstanding Motion to strike Nancy Sampson's testimony, COURT ORDERED, her testimony as to how many syringes per dose is STRICKEN.

Arguments by Counsel regarding Deft. Desai's Motion to Withdraw stipulation to admit exhibits 152 through 155 into evidence. Mr. Staudaher argued the exhibits were already stipulated and contain underlying data. Court noted the Jury has already been told they were exhibits and ORDERED, the exhibits be AMENDED to show "ordered" and "not taking into account existing inventory".

On the issue of Nancy Sampson going beyond her knowledge, COURT ORDERED, Defense to draft an instruction for review. Arguments by Counsel regarding witness Rod Chaffee. Rod Chaffee, recalled to the witness stand, outside the presence of the jury. Statements by Mr. Chaffee concerning his testimony. Court excused Mr. Chaffee from the courtroom. (Outside the presence of witness Chaffee.) Defense moved for a mistrial or in the alternative request to strike Rod Chaffee's testimony. COURT FINDS, it does not rise to the level of a mistrial and request to strike his testimony DENIED.

JURY PRESENT. Testimony and exhibits presented. (See worksheets.)

OUTSIDE THE PRESENCE OF THE JURY. Mr. Wright asserted his objection to the testimony of Tonya Rushing's reference to a federal indictment in her testimony and argued for a mistrial. Court recorder played back the testimony of Ms. Rushing. Further arguments by Counsel. Comments by the Court. COURT DIRECTED Mr. Staudaher to prepare a curative direction.

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 11, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 11, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. The Court advised that the State can say there were one-hundred and nine people infected, but can't say definitively that is came from the Endoscopy Center. Opposition by Mr. Wright. Colloquy regarding testimony of witnesses. The Court stated that when asked questions, witnesses are obligated to answer truthfully. Further opposition by Mr. Wright regarding not being able to cross examine the other patients not named in the indictment. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 12, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 12, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Mr. Wright stated that he needs the statement of Rod Chafey or needs it as part of the record. The Court directed Mr. Staudaher to contact Mr. Hancock and he may be questioned outside the presence of the jury. Or if the statement can be produced by his current lawyer, it can be sealed and provided to the Court. IN THE PRESENCE OF THE JURY. Testimony and exhibits per worksheet. OUTSIDE THE PRESENCE OF THE JURY. COURT ORDERED, the bad acts motion on three of the patients is DENIED. Colloquy regarding scheduling. IN THE PRESENCE OF THE JURY Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding evidence to be provided to defense regarding insurance and contracts. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 13, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 13, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- CONFERENCE IN CHAMBERS. OUTSIDE THE PRESENCE OF THE JURY. Christian Balducci represented Healthcare Partners of Nevada and pursuant to Court Order yesterday counsel asked that the documents used by the witness be produced. Colloquy regarding this issue. The Court noted that she need not produce emails, contracts, policies, however redacted notes are to be produced. Mr. Balducci stated it was an attorney/client email and he did not advise her of her testimony. The other issue is the contract agreement. Health Care Partners is different. Endoscopy Center is now bankrupt. The Court directed Mr. Balducci to bring documents showing how the charges were calculated; also any documents with Gastro Center used to pay claims and disbursements. Mr. Balducci stated it would take some time to get these documents. The Court directed him to co-ordinate with the State or their investigators. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Colloquy regarding scheduling. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 14, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 14, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- .OUTSIDE THE PRESENCE OF THE JURY. COURT ORDERED, Lakeman's bond is reduced to \$25,000.00; bond set for the murder charge remains the same. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. The Court placed on the record that counsel was advised that Court's start time was 9:30 AM. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 17, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 17, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Arguments by counsel. COURT ORDERED, the report of Dr. Labun will not be used. FURTHER, only if the defense opens the door will questioning be allowed regarding the people infected from other sources. Ms. Weckerly stated that ten people were infected each day. Colloquy regarding exhibits. Teri Coffing appearing on behalf of one of the witnesses. Further statements regarding keeping health conditions private. Mr. Wright stated he was talking about compulsory process. The Court stated it was not fair to bring this issue up as it was brought up just this morning and there are no cases with sites provided. The Court stated it is happy to read the case. Mr. Staudaher submitted four cases for the Court's review with sites provided. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 18, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 18, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Ms. Stanish stated they had received some of the contracts, none of which answer the basic questions, therefore they don't have the information they need. CMS records do not go back far enough so the State did not preserve the 2007 conversion factors. There was a failure to preserve evidence and these charges should be dismissed. Mr. Staudaher advised that he has been forwarding everything the Court's Judicial Executive Assistant. He stated that they have been responsive and provided all pertinent records. One of the witnesses explained she could figure the conversion factor. The Court noted that the issue with CMS guidelines in 2007 is pertinent. Counsel needs to find if any witness is going to testify regarding these guidelines, they need to bring the guidelines or discuss their personal information. Syler had 2006 information on his computer and testified in Court. Therefore it needs to be established if the witness has personal knowledge or if they are the custodian of record. Ms. Staudaher stated his objection is a hearsay objection. The Court directed counsel to make it as unconfusing as possible. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding exhibits. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding scheduling and exhibits. The Court reminded counsel that the trial will be dark on Wednesday. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. The Court questioned the witness about how to access documents online. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per

worksheet, OUTSIDE THE PRESENCE OF THE JURY. It was noted that Ms. Ackridge's fee issue contained within document already admitted. Grand Jury 55a, page 24. Ms. Stanish stated it was her understanding that this contact dealt with procedures. The Court queried Ms. Stanish regarding clarifying where this information is coming from. Jessica Mazia spoke with the representative in California. It seems inconsistent with designated witnesses testimony. Who at the company is saying this. State had to rely on the company to send the right witness to appear in Court. Mr. Staudaher said that the statements regarding witness and subpoenas were ordered through Christine Stucki. Ms. Stanish said that at Grand Jury the witness said she did not know what the business number was. Ms. Weckerly stated that it seems that the billing was done differently. The Court directed counsel to provide a fee schedule outlining what each procedure costs. Mr. Santacroce objected to Meana's deposition. The Court stated that his objection has been overruled several times and has been noted for the record. Ms. Stanish stated that they designated the PMK; new lawyers did not match up with what the witness said under oath. Mr. Santacroce stated that to go forward with this witness would be improper. Ms. Weckerly said she would have to make a phone call to see who is available. The Court can hold in abeyance whether her testimony should be stricken or not. The Court stated that there is no reason why these calculations weren't done early on. Ms. Weckerly stated her belief that the lawyers who spoke to a paralegal are incorrect. Patricia Gonzalez questioned by the Court and Ms. Stanish regarding calculations. Ms. Stanish moved to strike her testimony. Mr. Staudaher stated she did not say there was a global unit. He objected to striking her testimony. Following further arguments regarding this issue, the COURT FINDS the correct person is in town to testify. Colloquy regarding scheduling. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 19, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 19, 2013**10:30 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding scheduling. Discussion regarding testimony of Pat Gonzalez. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. OUTSIDE THE PRESENCE OF THE JURY. Mr. Santacroce MOVED to strike the testimony of Katie Kalka. Ms. Stanish joined in the motion. Mr. Staudaher opposed as there was no basis to strike. Arguments in support of Motion to Strike by Mr. Wright. Further arguments regarding this issue by Mr. Wright. The Court noted that the issue is that it is the State's burden to prove that the jury does not know there are to be back up documents for this testimony. Further, the issue is what remedy is appropriate for non-compliant testimony; never got to the numbers, and it is not the defenses obligation to try to calculate the amount of the debt. Mr. Staudaher advised that the other point of the State's theory is that if any portion is then, then the State can show the total amount according to NRS205.265. The Court stated that numbers matter in a fraud case; page five, line twenty-five reads how the case was pled. The State has to prove what is in the indictment and as long as the witness has been noticed, they can be called. Following further arguments, COURT ORDERED, MOTION is DENIED; testimony will not be stricken. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 20, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 20, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. COURT ORDERED, Motion to Strike is DENIED; the COURT FINDS that the remedy is for the defense to argue in closings. IN THE PRESENCE OF THE JURY. CONFERENCE AT BENCH. OUTSIDE THE PRESENCE OF THE JURY. Questioning of witness Altea Miriam. Nia Killibrew appeared telephonically to allow disclosure of the settlement given to the Meanas. She stated she will send the proper document to Chambers by runner. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Jurors informed that the Meanas received \$2,349,268.18. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 20, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 20, 2013**11:00 AM****Minute Order****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Michael Staudaher and Pam Weckerly appearing for the State. Richard Wright and Margaret appearing for defendant Dipak Desai. Frederick Santacroce appearing for defendant Ronald Lakeman.

Ms. Stanish contacted Nia Killibrew, Esq. via telephone and placed on speaker. The COURT ORDERED, that Ms. Killibrew provide the amount of the settlement provided to Mr. Meana and his heirs. Ms. Killibrew stated she will have a document provided to Chambers by her runner and requested that a certified copy of this minute order will be provided in return. COURT SO ORDERED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 21, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 21, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Ms. Weckerly requested that she be allowed to play the testimony of Linda Hubbard. Opposition by Mr. Wright. Mr. Santacroce joined in the opposition of Mr. Wright. COURT ORDERED, the entire testimony will not be allowed; can play parts showing the tone of the interview. Mr. Wright stated he wants to hear her testimony on direct. The Court stated that Ms. Weckerly is to confer with Detective Whitley regarding this issue. OUTSIDE THE PRESENCE OF THE JURY. Mr. Staudaher stated that Ms. Hubbard will appear in Court at 3:00 PM. Colloquy regarding this issue. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 24, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 24, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Mr. Wright moved to strike records from the Phillipines on the basis that they were incomplete. Mr. Staudaher advised that the kidney disease was hepatic and uremic and Mr. Meana died from both of these conditions. He had liver failure with a cascade of results. Opposition by Mr. Wright. The Court noted that the ruling was we must have the coroner's report; information needs to be brought out in cross-examination and striking testimony is not a proper remedy. Mr. Wright MOVED that all of the records from the Philippines be stricken. The Court discussed the reports, death certificates, briefings and minute orders. The Court read the minute order. The Court further stated that it expected to see the coroner from the Philippines. Colloquy regarding the coroner and Mr. Wright's need to cross examine the coroner. The Court queried why nothing was said earlier by the defense regard the coroner. Mr. Santacroce stated that this issue was discussed in Chambers regarding bringing in the coroner from the Philippines. The Court stated that it thought the State was going to have him here to testify. Mr. Wright stated that the thought was the witness would be tying up the testing of the blood; they concealed from the jury that the blood was deteriorated. The Court informed counsel that this was not clarified. Mr. Staudaher stated that the whole purpose was to not have to bring the coroner. The Court noted that is was a confrontational issue. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. The Court noted review of the history and the minute orders; Defendant's motion is GRANTED as to striking nineteen; eighteen and twenty are still in.

There are no indications that the witness can testify to percipient and expert witnesses. Another issue is of the instruction regarding Nancy Sampson's testimony; Ms. Stanish was going to write an instruction regarding this. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. OUTSIDE THE PRESENCE OF THE JURY. Mr. Wright objected regarding the testimony of Alana Olson and her conclusion of death being caused by hepatitis C. The Court noted that her testimony was not entirely inconsistent with the death certificate and it has not been decided hearsay was used by coroners as there is no statute of limitations on the murder charge. Mr. Santacroce joined in Mr. Wright's objection. Mr. Staudaher stated that it is disingenuous for defense to say they didn't know she was coming in to opine on the cause of death; he cited the Grand Jury transcript; defense has known since the murder charge that she was allowed as an expert to opine on the cause of death. There is nothing to support that she cannot use hearsay because she did not do the physical autopsy, but she was there for the procedure. Opposition by Mr. Santacroce. The Court agreed that it is not the defendant's job to point out deficiencies. Also, the issue of notice and the confrontation clause is not clear as to the coroner's report; that is a big potential issue. There is no problem in her testifying that there was liquid in the victim's abdomen; the problem is her testifying that Mr. Meana did have kidney failure or hepatitis C. Mr. Wright argued that this is a Crawford issue. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Questioning of witness Alana Olson regarding her opinion of the hepatitis C issue. Further arguments by Mr. Wright and Ms. Stanish. INSIDE THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 25, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 25, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding exhibits. Mr. Wright stated he was going to have a portion of Meana's deposition read. Mr. Staudaher objected to introducing and reading portions piecemeal. The Court noted concern regarding introducing hearsay. Mr. Staudaher stated that Lippman told him he did not need to continue with the interferon treatment. Following further arguments regarding the issue, COURT ORDERED, balancing everything, Mr. Wright will be allowed to have portion of selected deposition read; State's motion is DENIED.

IN THE PRESENCE OF THE JURY. State RESTED. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding jury instructions. The Court informed defendant Desai regarding his fifth amendment right to not be compelled to testify on his own behalf. Desai indicated that he didn't understand what the Court was saying. The Court noted that the defendant's posture is different than during trial; he will not make eye contact with the Court now, but does during the trial. The Court expressed that this is not an exaggeration happening now. There is no apparent reason why the defendant will not fact the Court. The admonition will be given at a later time. Mr. Staudaher argued regarding witness giving deposition in the Channing case; he wants to cross examine him as to his involvement with a non genetically linked patient at another clinic. COURT ORDERED, this goes to bias; will allow Mr. Staudaher to ask, but the Court won't allow him to get into the lengthy litigation of the Chamin case. Opposition by Mr. Santacroce. CONFERENCE AT BENCH. IN THE PRESENCE OF THE JURY. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 26, 2013

10C265107-1

The State of Nevada vs Dipak K Desai

June 26, 2013

9:00 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding exhibit #83. COURT ORDERED, that document is stricken. Court and counsel discussed jury instructions and advisory verdict. Count four is dismissed pursuant to motion by the State; also omitted on the jury form. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 27, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

June 27, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding jury instructions and verdict form. Court and counsel reviewed and numbered the jury instructions. Mr. Staudaher requested that the charts used as demonstrative purposes be sent back to the jury. COURT ORDERED, DENIED as the smaller versions are already admitted. The Court admonished defendant Lakeman regarding the constitutional right to not be compelled to testify on his own behalf. He stated he understood his rights. The Court admonished defendant Desai regarding this constitutional right to not be compelled to testify on his own behalf. Mr. Wright stated that the defendant does understand his rights and will not be testifying; said it is clear that he has difficulty taking in information if he is multi-tasking. The Court stated that the competency issues have already been taken care of; the record is clear as accommodations provided to the defendant. IN THE PRESENCE OF THE JURY. Defense RESTED. No rebuttal arguments by the State. The Court instructed the jurors on the law of the case. CONFERENCE AT BENCH. Closing arguments by Ms. Weckerly. CONFERENCE AT BENCH. Closing arguments by Mr. Wright. Closing arguments by Mr. Santacrose.

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding jury instructions and verdict form. Court and counsel numbered jury instructions. Mr. Staudaher requested that the charts be sent back with the jury for demonstrative purposes. Opposition by Mr. Wright. COURT ORDERED, larger charts will not go back with the jury as there are duplicative documents admitted. The Court admonished Mr. Lakeman regarding his constitutional right to not be compelled to testify on his own

behalf. The defendant stated that he understands his rights and will not be testifying. The Court admonished Mr. Desai regarding his constitutional right to not be compelled to testify on his own behalf. Mr. Wright, speaking on behalf of Desai informed the Court that he is incapable of testifying. The Court stated it would not relitigate competency issues; it is clear as to accommodations the Court has given to the defendant

Rebuttal arguments by Mr. Staudaher. Marshall SWORN to take charge of the jury.

At the hour of 6:55 PM the jury retired to deliberate. Alternates revealed. OUTSIDE THE PRESENCE OF THE JURY. Mr. Santacroce stated that during rebuttal arguments, Mr. Staudaher asked the jurors how they would like to have a liver transplant. He stated that was prosecutorial misconduct. The Court noted that the statement was caught and Mr. Staudaher moved on; no one objected on the record. Ms. Weckerly advised that Mr. Wright said that their licenses to practice law should have disciplinary actions taken against them. She advised that Mr. Santacroce went way over the line and there is not a remedy. Mr. Wright asked what line he crossed. The Court stated that it sounded like they should be disciplined by the bar; that is the Court's perception. COURT ORDERED, Mr. Santacroce's motion for mistrial is DENIED. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 28, 2013

10C265107-1

The State of Nevada vs Dipak K Desai

June 28, 2013

9:00 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jury deliberations continue. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 01, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

July 01, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- JURY PRESENT. Court Advised a question was received from the Jury and the parties have agreed to an additional instruction. Court instructed the Jury.

OUTSIDE THE PRESENCE OF THE JURY. Court noted the parties have agreed on any responses given to the jury based on their questions.

JURY PRESENT. At the hour of 5:44 PM, the Jury returned with the following verdicts:

As to C265107-1, Defendant Dipak Desai;

COUNT 1 - Insurance Fraud - GUILTY;

COUNT 2 - Performance of Act in Reckless Disregard of Persons or Property Resulting in Substantial Bodily Harm - GUILTY;

COUNT 3 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm -- GUILTY;

PRINT DATE: 12/10/2013

Page 160 of 166

Minutes Date:

June 04, 2010

COUNT 4 - OMITTED;
COUNT 5 - Insurance Fraud - GUILTY;
COUNT 6 - Performance of Act in Reckless Disregard of Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 7 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - GUILTY;
COUNT 8 - Insurance Fraud - GUILTY;
COUNT 9 - Performance of Act in Reckless Disregard of Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 10 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - GUILTY;
COUNT 11 - Insurance Fraud - GUILTY;
COUNT 12 - Performance of Act in Reckless Disregard of Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 13 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - GUILTY;
COUNT 14 - Insurance Fraud - GUILTY;
COUNT 15 - Insurance Fraud - GUILTY;
COUNT 16 - Performance of Act In Reckless Disregard OF Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 17 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - GUILTY;
COUNT 18 - Insurance Fraud - GUILTY;
COUNT 19 - Performance of Act In Reckless Disregard OF Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 20 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - GUILTY;
COUNT 21 - Insurance Fraud - GUILTY;
COUNT 22 - Performance of Act In Reckless Disregard OF Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 23 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - GUILTY;
COUNT 24 - Insurance Fraud - GUILTY;
COUNT 25 - Theft - GUILTY of Theft under \$250;
COUNT 26 - Obtaining Money Under False Pretenses - GUILTY of Obtaining Money Under False Pretenses under \$250;
COUNT 27 - Obtaining Money Under False Pretenses - GUILTY of Obtaining Money Under False Pretenses under \$250;
COUNT 28 - Murder (Second Degree) - GUILTY.

As to C265107-2, Defendant Ronald Lakeman;

COUNT 1 - Insurance Fraud - GUILTY;
COUNT 2 - Performance of Act in Reckless Disregard of Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 3 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm -- GUILTY;
COUNT 4 - OMITTED;
COUNT 5 - Insurance Fraud - NOT GUILTY;

COUNT 6 - Performance of Act in Reckless Disregard of Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 7 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - GUILTY;
COUNT 8 - Insurance Fraud - GUILTY;
COUNT 9 - Performance of Act in Reckless Disregard of Persons or Property Resulting in Substantial Bodily Harm - NOT GUILTY;
COUNT 10 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - NOT GUILTY;
COUNT 11 - Insurance Fraud - NOT GUILTY;
COUNT 12 - Performance of Act in Reckless Disregard of Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 13 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - GUILTY;
COUNT 14 - Insurance Fraud - GUILTY;
COUNT 15 - Insurance Fraud - GUILTY;
COUNT 16 - Performance of Act In Reckless Disregard OF Persons or Property Resulting in Substantial Bodily Harm - NOT GUILTY;
COUNT 17 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - NOT GUILTY;
COUNT 18 - Insurance Fraud - NOT GUILTY;
COUNT 19 - Performance of Act In Reckless Disregard OF Persons or Property Resulting in Substantial Bodily Harm - GUILTY;
COUNT 20 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - GUILTY;
COUNT 21 - Insurance Fraud - GUILTY;
COUNT 22 - Performance of Act In Reckless Disregard OF Persons or Property Resulting in Substantial Bodily Harm - NOT GUILTY;
COUNT 23 - Criminal Neglect of Patients Resulting in Substantial Bodily Harm - NOT GUILTY;
COUNT 24 - Insurance Fraud - GUILTY;
COUNT 25 - Theft - GUILTY of Theft under \$250;
COUNT 26 - Obtaining Money Under False Pretenses - GUILTY of Obtaining Money Under False Pretenses under \$250;
COUNT 27 - Obtaining Money Under False Pretenses - NOT GUILTY;
COUNT 28 - Murder (Second Degree) - NOT GUILTY.

State requested both Defendants be remanded. Arguments by Mr. Santacroce requesting Deft. Lakeman remain on bond. Mr. Staudaher maintained the State's request for remand. COURT ORDERED, Defendant Lakeman and Defendant Desai REMANDED; bail previously posted, EXONERATED; and matter REFERRED to the Division of Parole and Probation and SET for SENTENCING.

CUSTODY (BOTH)

9/5/13 9:30 AM SENTENCING (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 05, 2013

10C265107-1

The State of Nevada vs Dipak K Desai

September 05, 2013 9:30 AM Sentencing

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Phyllis Irby

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Court informed counsel P & P needs time to prepare the Pre-Sentencing Investigation (PSI) report, therefore, COURT ORDERED, MATTER CONTINUED.

CUSTODY

10-24-13 9:30 AM SENTENCING (DEPT. XXI)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 24, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

October 24, 2013**9:30 AM****Sentencing****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Dania Batiste**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Arguments by counsel. DEFT. DESAI ADJUDGED GUILTY of Counts 1, 5, 8, 11, 14, 15, and 18: INSURANCE FRAUD (F); Counts 2, 6, 9, 12, 16, 19, and 22: PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM (F); Counts 3, 7, 10, 13, 17, 18, and 23: CRIMINAL NEGLIGENCE OF PATIENTS RESULTING IN SUBSTANTIAL BODILY HARM (F); Count 25: THEFT UNDER \$250.00 (M); Counts 26 and 27: OBTAINING MONEY UNDER FALSE PRETENSES UNDER \$250.00 (M); and Count 28: SECOND DEGREE MURDER (F).

COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and a \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as to COUNT 1 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS; as to COUNT 2 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS, CONCURRENT with Count 1; as to COUNT 3 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS, CONCURRENT with Count 2; as to COUNT 5

to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS, CONCURRENT with Count 3; as to COUNT 6 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS, CONCURRENT with Count 5; as to COUNT 7 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS, CONSECUTIVE to Count 6; as to COUNT 8 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS, CONCURRENT with Count 7; as to COUNT 9 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS, CONCURRENT with Count 8; as to COUNT 10 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS, CONSECUTIVE to Count 9; as to COUNT 11 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS, CONCURRENT with Count 10; as to COUNT 12 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS, CONCURRENT with Count 11; as to COUNT 13 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS, CONCURRENT with Count 12; as to COUNT 14 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS, CONCURRENT with Count 13; as to COUNT 15 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS, CONCURRENT with Count 14; as to COUNT 16 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS, CONCURRENT with Count 15; as to COUNT 17 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS, CONCURRENT with Count 16; as to COUNT 18 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS, CONCURRENT with Count 17; as to COUNT 19 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS, CONCURRENT with Count 17; as to COUNT 20 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS, CONCURRENT with Count 18; as to COUNT 21 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS, CONCURRENT with Count 21; as to COUNT 22 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS, CONCURRENT with Count 20; as to COUNT 23 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS, CONSECUTIVE to Count 21; as to COUNT 24 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS, CONCURRENT with Count 23; as to COUNT 24 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-FOUR (34) MONTHS, CONCURRENT with Count 23; as to COUNT 25 to SIX (6) MONTHS in the Clark County Detention Center (CCDC); as to COUNT 26 to SIX (6) MONTHS in the Clark County Detention Center (CCDC); as to COUNT 27 to SIX (6) MONTHS in the Clark County Detention Center (CCDC); Counts 25, 26, and 27 to run CONCURRENT other Counts; and as to COUNT 28 to a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of LIFE, CONSECUTIVE to Count 24 in the Nevada Department of Corrections (NDC); with THREE HUNDRED NINETEEN (319) DAYS credit for time served.

BOND, IF ANY, EXONERATED.

NDC

CLERK'S NOTE: Minute Order amended to correct the number of months in parenthesis on Count 28/db 11.15.2013

Exhibit List

Case: 10C265107-1 Party: Sort Order: **Status** Defendant Name: Desai, Dipak Kantilal DOB

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
PCT1	Plaintiff			PASSPORT OF DEFT DIPAK K DESAI		State of Nevada	District Court Criminal/Civil 06/04/2010	Evidence Vault
Comment: ExhibitID : 191834								
1	Plaintiff	Admitted 02/22/2013	Destroy 02/25/2016	Media CD containing Curriculum Vitae for Notice of Expert Witnesses		Wolfson, Steven B		
2	Defendant	Admitted 04/16/2013	Destroy 04/16/2016	Document Defendants Note		Wright, Richard A.		
3	Plaintiff	Admitted 05/29/2013	Destroy 06/28/2016	Document LETTER DATED 7/5/05		Wolfson, Steven B		
Comment: SEE COMPLETE LIST IN EVENTS TAB								
4	Plaintiff	Admitted 06/13/2013	Destroy 07/08/2016	Document Patient Records		Wolfson, Steven B		
Comment: See complete list in events tab								
5	Plaintiff	Admitted 05/03/2013	Destroy 08/01/2016	Media CD ATTACHMENT TO MOTION		Wolfson, Steven B		
Non evidence A	Defendant	Marked 04/03/2013		Media Deft notice of expert witnesses -CD		Wright, Richard A.		

Petrocelli Hearing 5/29/13 & 6/6/13

CASE NO. C265107-1/2

[illegible]

STATE'S EXHIBITS

CASE NO. C265107-1/2
C283381-1/2

Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
1.	Patient File – Ziyad	5/8/13	STIP	5/8/13	
2.	Patient File – Washington		STIP	6/3/13	
3.	Patient Record – Dr. Patel	5/8/13	STIP	5/8/13	
4.	Patient File – Rubino	5/10/13	STIP	5/10/13	
5.	Patient File – S. Hutchinson	5/10/13	STIP	5/10/13	
6.	Patient Record – Dr. Bui	5/8/13	STIP	5/8/13	
7.	Patient File – Aspinwall		STIP	6/3/13	
8.	Patient Record – Dr. Casalman (Patient Aspinwall)		STIP	6/3/13	
9.	Patient File – Martin	5/8/13	STIP	6/3/13	
10.	Patient Record – Dr. Casalman (Patient Martin)	5/8/13	STIP	5/8/13	
11.	Patient File – Orellana		STIP	6/3/13	
12.	Patient File – Meana	5/24/13	STIP	5/24/13	
13.	Patient File – Grueskin		STIP	6/3/13	
14.	CDC Record - DRoberuic		STIP	6/3/13	
15.	SNHD File – Armour	5/9/13	STIP	5/9/13	
16.	CDC Record – Khudyakov	5/9/13	STIP	5/9/13	
17.	Records from the Philippines – Letter		STIP	6/3/13	
18.	Records from the Philippines – Packet 1 – Death Certificates		STIP	6/3/13	
19.	Records from the Philippines – Packet 2 – Autopsy Reports (ORDERED WITHDRAWN & MADE COURT'S EXHIBIT 16)		STIP	6/3/13	

STATE'S EXHIBITS

CASE NO. C265107-1/2
C283381-1/2

Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
20.	Records from the Philippines – Packet 3		STIP	6/3/13	
21.	Financial Analyses – Folder		STIP	6/3/13	
22.	Financial Analyses – Folder		STIP	6/3/13	
23.	White US Endoscopy Envelope		STIP	6/3/13	
24.	Financial Analyses – Folder				
25.	Financial Analyses – Fedex Envelope				
25a.	Propofol Package insert Document – DO NOT ADMIT		YES		
25b.	Dept of Health Letter dated 7/1/2008		STIP	6/3/13	
25c.	Broadlane Suppliers Effective 7/15/2006		STIP	6/3/13	
25d.	Baxter Invoices from 2004 (45)		STIP	6/3/13	
25e.	Broadlane Suppliers Effective 3/15/2006		STIP	6/3/13	
25f.	Baxter Letter 8/13/03 re: #16722		STIP	6/3/13	
25g.	Baxter Letter 8/13/03 re: #16721		STIP	6/3/13	
25h.	Baxter Invoices from 2005 (20)		STIP	6/3/13	
25i.	Table		STIP	6/3/13	
25j.	Baxter Invoices from 2006 (14)		STIP	6/3/13	
25k.	Baxter Invoices from 2007 (13)		STIP	6/3/13	
26.	Financial Analyses – Envelope marked Green Valley				
27.	Financial Analyses – Envelope marked Wells Fargo		STIP	6/3/13	
28.	Financial Analyses – Envelope marked Wells Fargo				

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
29.	Financial Analyses – Box of Files marked L.Hancock LVMPD		STIP	6/3/13	
30.	Financial Analyses – Envelope marked Charles Kelly		STIP	6/3/13	
31.	Propofol Log – (Package)		STIP	6/3/13	
31a.	Red Binder Propofol Log		STIP	6/3/13	
32.	Procedure Log – box		STIP	6/3/13	
32a.	Blue Procedure Log marked VA ONLY		STIP	6/3/13	
32b.	Blue Procedure Log marked 11/07		STIP	6/3/13	
32c.	Blue Procedure Log marked 09/07		STIP	6/3/13	
32d.	Blue Procedure Log marked 03/07		STIP	6/3/13	
32e.	Blue Procedure Log marked 05/07		STIP	6/3/13	
32f.	Blue Procedure Log marked 04/05		STIP	6/3/13	
32g.	Blue Procedure Log marked 10/04		STIP	6/3/13	
32h.	Blue Procedure Log marked 07/04		STIP	6/3/13	
32i.	Blue Procedure Log marked 05/04		STIP	6/3/13	
32j.	Blue Procedure Log marked 01/04		STIP	6/3/13	
32k.	Blue Procedure Log marked 01/05		STIP	6/3/13	
32l.	Blue Procedure Log marked 07/07		STIP	6/3/13	
33.	Procedure Log – Blue Book – 10/06		STIP	6/3/13	
34.	Procedure Log – Blue Book – 5/07		STIP	6/3/13	
35.	Procedure Log – Blue Book – 9/07		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
36.	Procedure Log – Blue Book – 11/02		STIP	6/3/13	
37.	Procedure Log – Blue Book – 3/02		STIP	6/3/13	
38.	Procedure Log – Blue Book – 2/08		STIP	6/3/13	
39.	Procedure Log – Blue Book – 5/06		STIP	6/3/13	
40.	Procedure Log – Blue Book – 1/07		STIP	6/3/13	
41.	Procedure Log – Box containing 9 Logs		STIP	6/3/13	
41a.	Blue Procedure Log marked 3/01-9/01		STIP	6/3/13	
41b.	Blue Procedure Log marked 2/00-8/00		STIP	6/3/13	
41c.	Blue Procedure Log marked 1/98 – 11/98		STIP	6/3/13	
41d.	Blue Procedure Log marked 7/02 – 11/02		STIP	6/3/13	
41e.	Blue Procedure Log marked 9/01-3/02		STIP	6/3/13	
41f.	Blue Procedure Log marked 6/99-01/00		STIP	6/3/13	
41g.	Blue Procedure Log marked 8/00-3/01		STIP	6/3/13	
41h.	Blue Procedure Log marked 1/97-12/97		STIP	6/3/13	
41i.	Blue Procedure Log marked 11/98-6/99		STIP	6/3/13	
42.	Procedure Log – Brown Box with evidence tape		STIP	6/3/13	
42a.	Blue Procedure Log marked 1/06		STIP	6/3/13	
42b.	Blue Procedure Log marked 3/06		STIP	6/3/13	
42c.	Blue Procedure Log marked 10/05		STIP	6/3/13	
42d.	Blue Procedure Log marked 11/06		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
42e.	Blue Procedure Log marked 1/07		STIP	6/3/13	
42f.	Blue Procedure Log marked 12/05		STIP	6/3/13	
42g.	Blue Procedure Log marked 6/05		STIP	6/3/13	
42h.	Blue Procedure Log marked 09/06		STIP	6/3/13	
42i.	Blue Procedure Log marked 08/05		STIP	6/3/13	
42j.	Blue Procedure Log marked 07/06		STIP	6/3/13	
42k.	Blue Procedure Log marked 05/06		STIP	6/3/13	
42l.	Blue Procedure Log unmarked (1/08)	6/21/13	STIP	6/3/13	
42m.	Yellow paper marked Procedure Room Ledger Office		STIP	6/3/13	
42n.	Social Security Numbers – do not admit		—		
43.	Financial Analyses – bankers box				
43a.	Blue Binder - 2007 D Desai Chtd Accounting Registers				
43b.	White Binder – 1-9 Verifications Terminated Employees – Gastro (Cannot be Admitted-contains SSN's)				
43c.	White and Blue Binder – Attendance Controller				
43d.	Blue Binder marked EIL, LLL 2007				
43e.	Empty Folders				
43f.	Files				
44.	Controlled Substances/ Propofol Logs – bankers box marked #7		STIP	6/3/13	
44a.	Red Binder marked DEA Forms		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
44b.	Green Binder		STIP	6/3/13	
44c.	Yellow legal paper marked Surgery Center – Procedure room 4		STIP	6/3/13	
44d.	Gauze Sponges – pack of 200 4"x4"		STIP	6/3/13	
44e.	Airlife Nasal Oxygen Cannula		STIP	6/3/13	
44f.	Disposable Injector (For lower GI)		STIP	6/3/13	
44g.	Disposable Hot Biopsy Forceps (For lower GI)		STIP	6/3/13	
44h.	Carr-Locke Injection needle		STIP	6/3/13	
44i.	Bard Mucous Specimen Trap 40cc		STIP	6/3/13	
44j.	ConMed Suction Connection Tubing 12' Long		STIP	6/3/13	
44k.	15 Drops/ml – IV Administration Set with universal spike, injection site, and spin-lock connector		STIP	6/3/13	
44l.	Sterile Latex Surgical Gloves (McKesson)		STIP	6/3/13	
44m.	455 Foam ECG Conductive Adhesive Electrodes		STIP	6/3/13	
44n.	1mL syringe with needle (Exel int) 25 G / 5/8		STIP	6/3/13	
44o.	1cc Syringe with needle 25G X 5/8" (globe emblem)		STIP	6/3/13	
44p.	B-D 1CC Tuberculin Syringe – Slip tip		STIP	6/3/13	
44q.	Spot 5mL Endoscopic marker in canister		STIP	6/3/13	
44r.	Macrolyte Dispersive Electrode		STIP	6/3/13	
44s.	Continu-Flo Solution Set 89" (2.3 m)		STIP	6/3/13	
44t.	BD 60 ml Syringe/slip tip		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
44u.	1ml 25G 5/8 Latex Free Syringe Reorder No. 309626		STIP	6/3/13	
44v.	EXEL INT - 1 ml Disposable Syringe/Luer slip tip W/25G X 5/8"		STIP	6/3/13	
44w.	Preprinted Purchaser forms in window envelope		STIP	6/3/13	
44x.	Filter Needle W/5 Micron Filter 19g1/2		STIP	6/3/13	
44y.	½ cc Tuberculin Syringe – 27 G1/2		STIP	6/3/13	
44z.	Tube with blue end (loose) in ziplock bag		STIP	6/3/13	
44aa.	3 ballpens		STIP	6/3/13	
45.	Controlled Substances/ Propofol Logs – bankers box		STIP	6/3/13	
45a.	Black Binder – Propofol Daily Sign Out Log	5/13/13	STIP	5/13/13	
45b.	Binder marked Satisfaction Questionnaires		STIP	6/3/13	
45c.	White binder marked Propofol Daily and Controlled Substance Logs 2004, 2005, 2006		STIP	6/3/13	
45d.	Yellow Legal Paper Marked Procedure Rooms Ledger Office		STIP	6/3/13	
46.	Patient Procedure Files 9/21/07 – bankers box				
47.	Victim Procedure Files (actual files-unredacted)				
47a.	Actual Patient File – Huynh Nguyen	5/13/13			
47b.	Actual Patient File - Lakota Quannah	5/13/13			
47c.	Actual Patient File – Kenneth Rubino	5/13/13			
47d.	Actual Patient File – Sonia Alfaro-Orellana	5/13/13			
47e.	Actual Patient File – Gwendolyn Martin	5/13/13			

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
47f.	Actual Patient File – Rodolfo Meana	5/13/13			
47g.	Actual Patient File – Patty Aspinwall				
47h.	Actual Patient File – Carole Grueskin				
47i.	Actual Patient File – Stacy Hutchinson				
47j.	Actual Patient File – Michael Washington				
47k.	Actual Patient File – Renate Blemings	5/13/13			
48.	Brown Evidence Envelope containing Register book		STIP	6/3/13	
48a.	Endoscopy register book – Burnham 12/27/05-5/5/06		STIP	6/3/13	
49.	Patient Procedure Files 7/25/07 – bankers box		STIP	6/3/13	
50.	Photo – Gwendolyn Martin	5/14/13	STIP	5/14/13	
51.	Photo – Gwendolyn Martin	5/14/13	STIP	5/14/13	
52.	Photo – Gwendolyn Martin	5/14/13	STIP	5/14/13	
53.	Photo – Gwendolyn Martin	5/14/13	STIP	5/14/13	
54.	Photo – Gwendolyn Martin	5/14/13	STIP	5/14/13	
55.	Photo – Gwendolyn Martin	5/14/13	STIP	5/14/13	
56.	Photo – Gwendolyn Martin	5/14/13	STIP	5/14/13	
57.	Photo – Gwendolyn Martin	5/14/13	STIP	5/14/13	
58.	Photo – Gwendolyn Martin	5/14/13	STIP	5/14/13	
59.	Patient Insurance Records – Gonzalez / Ziyad / Rubino / Aspinwall	5/8/13	STIP	5/8/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
✓ 59a.	Page 492 of Exhibit #59	5/8/13	STIP	5/8/13	
✓ 60.	Patient Insurance Records – Sams / Washington		STIP	6/3/13	
✓ 61.	Patient Insurance Records – Shibona / Martin / Meana / Hutchinson	5/8/13	STIP	5/8/13	
✓ 62.	Patient Insurance Records – Duenas / Orellana	5/14/13	STIP	5/14/13	
✓ 63.	Patient Insurance Records – Spaeth / Hutchinson / Grueskin		STIP	6/3/13	
✓ 64.	Chart NYC HVR2 Quasiespecies Analysis – Demonstrative ONLY				
✓ 64	Records for Dr. Thomas Yee – 5 pages	5/9/13	STIP	5/9/13	
✓ 65.	Record for Dorothy Sims				
✓ 66.	Record for Nancy Sampson				
68.	Redacted Patient Records (box) – 9/21/07		STIP	6/3/13	
68.a	Patient 1 – 87947		STIP	6/3/13	
68.b	Patient 2 – 87945		STIP	6/3/13	
68.c	Patient 3 – 87949		STIP	6/3/13	
68.d	Patient 4 – 87950		STIP	6/3/13	
68.e	Patient 5 – 87250		STIP	6/3/13	
68.f	Patient 6 – 80016		STIP	6/3/13	
68.g	Patient 7 – 80095		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
68.h	Patient 8 - 87946		STIP	6/3/13	
68.i	Patient 9 - 45951		STIP	6/3/13	
68.j	Patient 11 - 86344		STIP	6/3/13	
68.k	Patient 12 - 87951		STIP	6/3/13	
68.l	Patient 13 - 87690		STIP	6/3/13	
68.m	Patient 14 - 87958		STIP	6/3/13	
68.n	Patient 15 - 87985		STIP	6/3/13	
68.o	Patient 16 - 87985		STIP	6/3/13	
68.p	Patient 17 - 88055		STIP	6/3/13	
68.q	Patient 19 - 87959		STIP	6/3/13	
68.r	Patient 20 - 87291		STIP	6/3/13	
68.s	Patient 21 -87657		STIP	6/3/13	
68.t	Patient 22 - 87962		STIP	6/3/13	
68.u	Patient 23 - 87991		STIP	6/3/13	
68.v	Patient 24 - 87993		STIP	6/3/13	
68.w	Patient 25 - 87695		STIP	6/3/13	
68.x	Patient 26 - 87728		STIP	6/3/13	
68.y	Patient 27 - 87990		STIP	6/3/13	
68.z	Patient 28 - 85611		STIP	6/3/13	
68.aa	Patient 29 - 87989		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
68.bb	Patient 30 – 87996		STIP	6/3/13	
68.cc	Patient 31 – 87986		STIP	6/3/13	
68.dd	Patient 32 – 87965		STIP	6/3/13	
68.ee	Patient 33 – 87994		STIP	6/3/13	
69.ff	Patient 34 – 87954		STIP	6/3/13	
68.gg	Patient 35 – 87956		STIP	6/3/13	
68.hh	Patient 36 – 87953		STIP	6/3/13	
68.ii	Patient 37 - 87955		STIP	6/3/13	
68.jj	Patient 38 – 36169		STIP	6/3/13	
68.kk	Patient 39 - 87957		STIP	6/3/13	
68.ll	Patient 40 – 87815		STIP	6/3/13	
68.mm	Patient 41 - 74900		STIP	6/3/13	
68.nn	Patient 42 – 87961		STIP	6/3/13	
68.oo	Patient 43 - 31785		STIP	6/3/13	
68.pp	Patient 44 – 60784		STIP	6/3/13	
68.qq	Patient 45 – 87964		STIP	6/3/13	
68.rr	Patient 46 – 87963		STIP	6/3/13	
68.ss	Patient 47 – 87966		STIP	6/3/13	
68.tt	Patient 48 – 87967		STIP	6/3/13	
68.uu	Patient 49 – 87969		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
68.v.v	Patient 50 – 87968		STIP	6/3/13	
68.ww	Patient 51 - 87970		STIP	6/3/13	
68.xx	Patient 52 – 87973		STIP	6/3/13	
68.yy	Patient 53 - 87977		STIP	6/3/13	
68.zz	Patient 54 - 87974		STIP	6/3/13	
68.aaa	Patient 58c - 87972		STIP	6/3/13	
69.	Redacted Patient Records (box) – 7/25/07		STIP	6/3/13	
69.a	Patient 1 – 85955		STIP	6/3/13	
69.b	Patient 2 – 86009		STIP	6/3/13	
69.c	Patient 3 – 53018		STIP	6/3/13	
69.d	Patient 4 – 85646		STIP	6/3/13	
69.e	Patient 5 – 86010		STIP	6/3/13	
69.f	Patient 6 – 83770		STIP	6/3/13	
69.g	Patient 7 – 86014		STIP	6/3/13	
69.h	Patient 8 – 85959		STIP	6/3/13	
69.i	Patient 9 – 86017		STIP	6/3/13	
69.j	Patient 10 – 86018		STIP	6/3/13	
69.k	Patient 11 – 86021		STIP	6/3/13	
69.l	Patient 12 – 46668		STIP	6/3/13	
69.m	Patient 13 – 86022		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
69.n	Patient 14 – 86023		STIP	6/3/13	
69.o	Patient 15 – 86025		STIP	6/3/13	
69.p	Patient 16 – 76158		STIP	6/3/13	
69.q	Patient 17 – 83910		STIP	6/3/13	
69.r	Patient 18 – 85755		STIP	6/3/13	
69.s	Patient 19 – 86028		STIP	6/3/13	
69.t	Patient 20 – 86029		STIP	6/3/13	
69.u	Patient 21 – 86030		STIP	6/3/13	
69.v	Patient 22 – 86031		STIP	6/3/13	
69.w	Patient 23 – 86032		STIP	6/3/13	
69.x	Patient 24 – 85993		STIP	6/3/13	
69.y	Patient 25 – 85560		STIP	6/3/13	
69.z	Patient 26 – 86034		STIP	6/3/13	
69.aa	Patient 27 – 86035		STIP	6/3/13	
69.bb	Patient 28 – 57908		STIP	6/3/13	
69.cc	Patient 29 – 84122		STIP	6/3/13	
69.dd	Patient 30 – 86036		STIP	6/3/13	
69.ee	Patient 31 – 86037		STIP	6/3/13	
69.ff	Patient 32 – 86038		STIP	6/3/13	
69.gg	Patient 33 – 34133		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
69.hh	Patient 34 – 86039		STIP	6/3/13	
69.ii	Patient 35 – 86040		STIP	6/3/13	
69.jj	Patient 36 – 86041		STIP	6/3/13	
69.kk	Patient 37 – 86042		STIP	6/3/13	
69.ll	Patient 38 – 86043		STIP	6/3/13	
69.mm	Patient 39 – 54686		STIP	6/3/13	
69.nn	Patient 40 – 86044		STIP	6/3/13	
69.oo	Patient 41 – 86045		STIP	6/3/13	
69.pp	Patient 42 – 86049		STIP	6/3/13	
69.qq	Patient 43 – 86050		STIP	6/3/13	
69.rr	Patient 44 – 86052		STIP	6/3/13	
69.ss	Patient 45 – 86054		STIP	6/3/13	
69.tt	Patient 46 – 84434		STIP	6/3/13	
69.uu	Patient 47 – 84434		STIP	6/3/13	
69.vv	Patient 48 – 85044		STIP	6/3/13	
69.wv	Patient 49 – 86055		STIP	6/3/13	
69.xx	Patient 50 – 86057		STIP	6/3/13	
69.yy	Patient 51 – 86055		STIP	6/3/13	
69.zz	Patient 52 – 66594		STIP	6/3/13	
69.aaa	Patient 53 – 63481		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
69.bbb	Patient 54 – 85687		STIP	6/3/13	
69.ccc	Patient 55 – 60274		STIP	6/3/13	
69.ddd	Patient 56 – 86058		STIP	6/3/13	
69.eee	Patient 57 – 86059		STIP	6/3/13	
69.fff	Patient 58 – 86060		STIP	6/3/13	
69.ggg	Patient 59 – 86061		STIP	6/3/13	
69.hhh	Patient 60 – 85808		STIP	6/3/13	
69.iii	Patient 61 – 86124		STIP	6/3/13	
69.jjj	Patient 62 – 86055		STIP	6/3/13	
69.kkk	Patient 63 - 69073		STIP	6/3/13	
70.	Bankers Box with Evidence Tape marked #2		STIP	6/3/13	
70a.	Yellow Legal Sheet marked Surgery Center – Procedure Rm 1		STIP	6/3/13	
70b.	Nonbreathing mask		STIP	6/3/13	
70c.	Polypectomy Snare		STIP	6/3/13	
70d.	Disposable Biopsy Forceps (Thermal Option II)		STIP	6/3/13	
70e.	Radial Jaw 4 Product No. M00513330		STIP	6/3/13	
70f.	Kendall Safe-T-Vac* Suction Catheter Ref 31420		STIP	6/3/13	
70g.	BD 10 ML Syringe Luer-Lok Tip Ref 309604	5/10/13	STIP.	5/10/13	
70h.	Mini Spike Dispensing Pin DP-1000 Ref 412012	5/10/13	STIP.	5/10/13	
70i.	Medex Injection cap	5/10/13	STIP.	5/10/13	

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70j.	Kendall Monoject Smartip 6 ML REF 8881540166/lot 616726		STIP	6/3/13	
71.	Bankers Box with Evidence Tape marked #4		STIP	6/3/13	
71a.	Yellow Legal Paper marked Procedure room #6		STIP	6/3/13	
71b.	Brown bag marked EVIDENCE	5/14/15	STIP	5/14/13	
71c.	Endo-guard Bite Block (inside brown evidence bag)	5/14/13	STIP	5/14/13	
71d.	LMA Laryngeal Mask Size 3		STIP	6/3/13	
71e.	Sheridan Tracheal Tube Size 8.0 Lot 9109G003524		STIP	6/3/13	
71f.	Portex Mini Trach II - mini-tracheostomy kit Ref 500100		STIP	6/3/13	
71g.	Fenem CO2 Indicator Ref 301-5585 Lot 06600070626		STIP	6/3/13	
71h.	Introcane IV catheter - 20 G 1 in Lot 4G 04258N05		STIP	6/3/13	
71i.	Vacuainer Blood Collection Set 23g 3/4		STIP	6/3/13	
71j.	Introcane IV catheter - 18G 1 1/4 in Lot 6D15258N27		STIP	6/3/13	
71k.	BD Blunt fill needle 18G 1 1/2 Ref 305180		STIP	6/3/13	
71l.	B-D Filter needle 19G1 1/2 Reorder No. 305200		STIP	6/3/13	
72.	Bankers Box with Evidence Tape marked #1		STIP	6/3/13	
72a.	I.V. Catheter 22G X 1" (blue) in Ziploc bag	5/10/13	STIP.	5/10/13	
72b.	I.V. Catheter 24G X 3/4" (yellow) in Ziploc bag	5/10/13	STIP.	5/10/13	
72c.	Sodium Chloride Injection USP - Duplicate entry				
72d.	Latex Free Syringe 3 ml 22G1 Reorder No. 309572		STIP	6/3/13	
72e.	Single Use Injection Plug (in plastic bag) LOT HL17		STIP	6/3/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
72f.	Yellow Legal Paper marked Procedure Room 7		STIP	6/3/13	
72g.	1 st Quarter 2008 QI Study – No Lidocaine Injection – 1 page		STIP	6/3/13	
72h.	Requests for Additional Procedure Directions – 2 pages		STIP	6/3/13	
72i.	Pre Procedural Assessment – 3 pages marked 3, 4, 5		STIP	6/3/13	
72j.	1 st Quarter 2008 blank – 11 copies		STIP	6/3/13	
72k.	Statement dated February 27, 2008 – 13 copies		STIP	6/3/13	
72l.	5 ml Sodium Chloride Injection USP / Lot 56-013-90		STIP	6/3/13	
72m.	Black Binder Propofol Order Form Baxter		STIP	6/3/13	
72n.	White Binder Shadow Lane Procedure Schedule		STIP	6/3/13	
72o.	Patient list – 1 page – blue	5/9/13	STIP	5/9/13	
72p.	Patient list – 1 page - red	5/9/13	STIP	5/9/13	
72q.	Envelope – (Grand Jury Exhibit) – Sealed marked 8.10.12				
72r.	Envelope – (Grand Jury Exhibit) – sealed and signed 4/16/13				
72s.	Light yellow Envelope – (Grand Jury Exhibit) – sealed and signed 4/3/13				
72t.	Envelope marked Deft 2 Lakeman – (Grand Jury Exhibit) – sealed and signed 4/2/13				
72u.	Envelope marked Deft 1 – Desai – (Grand Jury Exhibit) – sealed and signed 4/2/13				
72v.	Staples Box – (Grand Jury Exhibit)				

STATE'S EXHIBITS

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
80a.	Grand Jury Exhibit 45 - SEALED				
80b.	Grand Jury Exhibit 46 - SEALED				
80c.	Grand Jury Exhibit 47 - SEALED				
80d.	Grand Jury Exhibit 48 - SEALED				
80E-1.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 6/7/2007 - 3 pages				
80E-2.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 5/4/2000 - 1 page				
80E-3.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 1/17/2008 - 14 pgs	6-12-13	NO	6-12-13	
80E-4.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 1/30/2008 - 8 pages	6-12-13	NO	6-12-13	
80E-5.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 2/10/06 - 8 pages				
80E-6.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 2/10/06 - 6 pages				
80E-7.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 3/20/06 - 27 pages				
80E-8.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 8/02/06 - 5 pages				

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
80E-9.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 8/02/06 - 6 pages				
80E-10.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 1/30/08 - 9 pages				
80E-11.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 8/24/04 - 2 pages				
80E-12.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 8/29/03 + acts summary - 2 pages				
80E-13.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 7/23/02 + acts summary - 2 pages				
80E-15.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 5/24/04 - 8 pages				
80E-15.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 5/24/04 - 2 pages 02-remodels				
80E-16.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 12/04/01 - 2 pages				
80E-17.	Grand Jury Exhibit - Department of Health Statement of				

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
80E-18.	Deficiencies and Plan of Correction 12/5/01 – 7 pages				
	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 1/17/08 + Acts summary – 21 pages				
80E-19.	Grand Jury Exhibit - Department of Health Statement of Deficiencies and Plan of Correction 1/30/04 + Acts summary – 5 pages				
80F	Grand Jury Depositions Washington VS. Endoscopy Center of Southern Nevada. Depositions of Friedman, Galier, Gold, Washington				
80G	Indictments, Logs, Notices				
80H	Grand Jury Exhibits – Medical Supplies Analysis, Trip Report, Public Health Investigation Report (docs already proposed)				
80I	Grand Jury Exhibits – Reporter's Transcripts				
80J.	1500 Form + claim + explanation of benefits + check – Patty Aspinwall	6/18/13	NO	6/18/13	
80K.	1500 Form – Carole Grueskin				
80L.	1500 Form & HPN Explanation of Benefits – Stacy Hutchinson				
80m.	1500 Form- Gwendolyn Martin				
80n.	1500 Form – Rodolfo Meana				

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
800a	Medicare 1500 Form & Explanation of Benefits- Sonia Orellana				
800b	1500 Form - Kenneth Rubino	6/18/13	NO	6/18/13	
800p-1.	4 pages taken out of Exhibit 80p				
800q	1500 blank form + Medicare - Michael Washington				
800r	1500 Form - Sharieff Ziyad	6/18/13		6/26/13	
800s	United Health Care Procedures and Participation Agreement				
800t	Anesthesia Record Form - blank				
800u	Charts - Grand jury exhibit 42 & 43 <i>other does not used + 2 enclosures</i>				
800v	Memo from Tonya Rushing - single page	5/10/13	STIP	5/10/13	
800w	Services and Compensation Schedule - Bates No. 12101	5/10/13	STIP	5/10/13	
800x	Deep Sedation Policy	5/10/13	STIP	5/10/13	
800y	Anesthesia Charges (Medicare) - single page	5/10/13	STIP	5/10/13	
800z	Letter dated January 11, 2007 - single page	5/10/13	STIP	5/10/13	
801	Instructions to Post Anesthesia Charges - single page		STIP	6/3/13	
802	Affidavit (blank) - 2 pages (STIP WITHDRAWN 6/3/13)	5/10/13	OBJ	6/10/13	
803	Cleaning of Procedure Rooms Policy-single page (#9578)	5/10/13	STIP	5/10/13	
804	Pre-Surgical Evaluation Policy - Single Page	5/10/13	STIP	5/10/13	
805	Policy and Procedure Outdated Medications - single page	5/10/13	STIP	5/10/13	
806	Anesthesia Service Certification - single page	5/10/13	STIP	5/10/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
92.	Document dated May, 15, 2008 – Bates # 004199-004213 (Trip Report from CDC)	6/4/13	STIP	6/3/13	
92a.	Page 5 of Exhibit 92 (STIP TO NON-HIGHLIGHTED VERSION 6/3/13)	5/10/13	OBJ STIP	5/10/13 6/3/13	
	Patient File #55c / 87981 (Redacted file)	5/10/13	STIP	5/10/13	
	Patient File #57c / 87960 (Redacted file)	5/13/13	STIP	6/3/13	
	Patient File #18 / 87704 (Redacted file)	5/13/13	STIP	6/3/13	
	United Health Care Document Bates # 00163	5/13/13	STIP	5/13/13	
	Desai's Organizational Chart	5/13/13	STIP	5/13/13	
	Endoscopy Center – Business License; additional licenses	5/13/13	STIP	5/13/13	
	Memo to Endoscopy Center dated 10/23/02	5/13/13	STIP	5/13/13	
	Scheduling Memo and handwritten note	5/13/13	STIP	5/13/13	
	Memo to Tonya from Desai dated 8/26/02	5/13/13	STIP	5/13/13	
	Supervising Physician Agreement/Dr. Sharma	5/14/13	STIP	5/14/13	
	Suite 165B Shadow Lane Map #000758	5/14/13	STIP	5/14/13	
	Suite 165A Shadow Lane Map #000766	5/14/13	STIP	5/14/13	
	Suite 470 Shadow Lane Map #000759	5/14/13	STIP	5/14/13	
	Reports Found by Dave Hunkins 10-28-04 (37pages)	5/15/13	STIP	5/15/13	
	Document NDA 19-627/S-045 #000198-000224	5/15/13	STIP	5/15/13	
	Colonoscopy 2006 Report (27 pages)	5/15/13	STIP	5/15/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
	Pictures of Facility – certificate	5/15/13	STIP	5/15/13	
	Pictures of Facility – endoscopy register	5/15/13	STIP	5/15/13	
	Pictures of Facility – lobby	5/15/13	STIP	5/15/13	
	Pictures of Facility – lobby / chairs/flat screen	5/15/13	STIP	5/15/13	
	Pictures of Facility - lobby / chairs/tube tv	5/15/13	STIP	5/15/13	
	Pictures of Facility - lobby / chairs	5/15/13	STIP	5/15/13	
	Pictures of Facility – hall/wheelchair	5/15/13	STIP	5/15/13	
	Pictures of Facility – room / bathroom	5/15/13	STIP	5/15/13	
	Pictures of Facility – room / two big chairs	5/15/13	STIP	5/15/13	
	Pictures of Facility – four beds	5/15/13	STIP	5/15/13	
	Pictures of Facility – two beds	5/15/13	STIP	5/15/13	
	Pictures of Facility – red trash can / three doors	5/15/13	STIP	5/15/13	
	Pictures of Facility – 3 beds / back - office area	5/15/13	STIP	5/15/13	
	Pictures of Facility – room / bed / monitor / equipment	5/15/13	STIP	5/15/13	
	Pictures of Facility – room / monitor / counter	5/15/13	STIP	5/15/13	
	Pictures of Facility – room / sink / fan	5/15/13	STIP	5/15/13	
	Pictures of Facility – room / sink / Medivators left side	5/15/13	STIP	5/15/13	
	Pictures of Facility – room / 2 nd sink / blue tubs	5/15/13	STIP	5/15/13	
	Pictures of Facility – room / sink / Medivators right view	5/15/13	STIP	5/15/13	
	Pictures of Facility – Medivators front view	5/15/13	STIP	5/15/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
10.	Pictures of Facility – Medivator inside	5/15/13	STIP	5/15/13	
11.	Pictures of Facility – scopes hanging	5/15/13	STIP	5/15/13	
12.	Pictures of Facility – scopes hanging	5/15/13	STIP	5/15/13	
13.	Pictures of Facility – scopes hanging	5/15/13	STIP	5/15/13	
14.	Pictures of Facility – 2 open drawers	5/15/13	STIP	5/15/13	
15.	Pictures of Facility – open drawer and supplies	5/15/13	STIP	5/15/13	
16.	Pictures of Facility – 60 ml syringe	5/15/13	STIP	5/15/13	
17.	Pictures of Facility – Endo Jaw Hot Biopsy forceps	5/15/13	STIP	5/15/13	
18.	Pictures of Facility – Carr-Locke injection needle	5/15/13	STIP	5/15/13	
19.	Pictures of Facility – 18G1 Needle	5/15/13	STIP	5/15/13	
20.	Pictures of Facility – Lot # 7172029	5/15/13	STIP	5/15/13	
21.	Pictures of Facility – cabinet	5/15/13	STIP	5/15/13	
22.	Pictures of Facility – bite block	5/15/13	STIP	5/15/13	
23.	Pictures of Facility – bite block back	5/15/13	STIP	5/15/13	
24.	Pictures of Facility – gauze sponges cabinet	5/15/13	STIP	5/15/13	
25.	Pictures of Facility – 10ml syringe	5/15/13	STIP	5/15/13	
26.	Pictures of Facility – syringe	5/15/13	STIP	5/15/13	
27.	Pictures of Facility – injection caps	5/15/13	STIP	5/15/13	
28.	Pictures of Facility – injection cap close up	5/15/13	STIP	5/15/13	
29.	Pictures of Facility	5/15/13	STIP	5/15/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
	Pictures of Facility – scopes	5/15/13	STIP	5/15/13	
	Pictures of Facility – scopes	5/15/13	STIP	5/15/13	
	Operating Agreement Endoscopy Center	5/16/13	STIP	5/16/13	
	2007 Comparison/Patients to Syringes	5/16/13	STIP	5/16/13	
	Comparison of Num. of patients 7/25/07-9/21/07	5/16/13	STIP	5/16/13	
	2007 Comparison/Patients and Propofol Vials	5/16/13	STIP	5/16/13	
	Upper Endoscopies/All Clinic Locations 2007 – Bite block chart	5/16/13	STIP	5/16/13	
156.	9/21/07 spreadsheet	5/16/13	STIP	5/16/13	
157.	7/25/07 spreadsheet	5/16/13	STIP	5/16/13	
158.	Financial Analysis/Desai, Carrol and Carrera 2007	5/20/13	STIP	6/3/13	
	NV. State Board of Med Examiners-complaints/Desai	5/20/13			
	Gastro Center of NV LLP (Desai)	5/20/13	STIP	5/20/13	
	Endoscopy Center - Employee Handbook	5/28/13	NO	5/28/13	
	SNHD Public Health Investigation Report Bates #000172-000438				
	Medical Supplies Analysis 9/209				
	MMWR Weekly – CDC Article 5/16/2008	6/4/13	NO	6/4/13	
	Major Article – Hepatitis C Virus Infections (CID article)	6/4/13	NO	6/4/13	
166.	Hepatitis C Outbreak Room Chart Endoscopy Center 9/21/07	6/12/13		6/12/13	
	Prelim. Rpt. 5/8/09 File #404531	6/12/13	NO	6/12/13	
168.	Prelim. Rpt. 5/22/09 File #920820.htm	6/12/13	NO	6/12/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
169.	Prelim. Rpt. 5/22/09 File #965701.htm	6/12/13	NO	6/12/13	
170.	Prelim. Rpt. 5/22/09 File #954348.htm	6/12/13	NO	6/12/13	
171.	Prelim. Rpt. 5/22/09 File #954244.htm	6/12/13	NO	6/12/13	
	McKesson Supply Manager-Working Cart 11/5/07	6/12/13	NO	6/12/13	
	Desert Shadow Endoscopy - #00067085	6/12/13	NO	6/12/13	
174. <i>Ex 2810</i>	Working Copy Memorandum to AUSA Crane Pomerantz Subject: Preliminary report on Propofol Analysis #9314693149	6/7/13	OBJ.	C/O Not admitted	
	Total Propofol Sort by Year from Baxter #005358-005365	6/7/13	NO	6/7/13	
	All Syringes Invoice Records #005369-005382	6/7/13	NO	6/7/13	
	Quality Care Consultants Letters - Dated September 25, 2006 / 12-20-06/ 11-29-07/5-3-07-9-11-07 (w-9 request) -- (7 pages)	6/7/13	NO	6/7/13	
178.	Letter Re: Endoscopy Center of Southern Nevada and Related Businesses (Quality Care Consultants)	6/7/13		COURT EXHIBIT 10	
	Tonya Rushing Docs/Memo Re: West Side Physicians Scheduling	6/11	NO	6/11/13	
	Tonya Rushing Docs/Letter dated 1/11/07 Re: Nursing supervisors and charge nurses	6/11	NO	6/11/13	
	Tonya Rushing Docs/ Letter dated 1/11/07 Re: Office Scheduling	6/11	NO	6/11/13	
	Tonya Rushing Docs/ Letter dated 1/11/07 Re: CRNA	6/11	NO	6/11/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
	Tonya Rushing Docs/ Memo dated 8/26/02 Re: Endo Schedule	6/11	NO	6/11/13	
	Tonya Rushing Docs/ Memo dated 1/23/04 Re: Dr. Desai Patient Scheduling	6/11	NO	6/11/13	
	Tonya Rushing Docs/ Memo dated 1/23/04 Re: Scheduling Changes for Endo I	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Debra Daley Memo 4/4/03	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Debra Daley Memo 4/7/03	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya Re: Meeting 8/30/02	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya – Endo Center 8/30/02 Re: CRNA billing	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya – Re: Office Schedule 8/26/02	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya and Betty Hammer, RN and Staff 8/30/02	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya – Re: Check-in desk for Endoscopy Center I & II 8/30/02	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya –IMPORTANT 8/30/02	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Endoscopy Center, East, Bonnie Bowen, Jan and Dr. Sharma, Director 10/23/02	6/11	NO	6/11/13	
	Tonya Rushing Docs/ Re: Endo "8/296/02"	6/11	NO	6/11/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
	Tonya Rushing Docs/ To: Tonya - Re: Endo Schedule 8/26/02	6/11	NO	6/11/13	
	Tonya Rushing Docs/ Memo RE: VA Patients 1/28/03	6/11	NO	6/11/13	
	Tonya Rushing Docs/ Re: Scheduling of Procedures, Endo Center I - 1/28/03	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya - 1/28/03	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya - Memo 9/19/02 Re: Office Schedule	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya - Memo 1	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya - Memo 12/06/04	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya - Memo Re: PacificCare 12/06/04	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya - Memo 12/06/04 (Jeff Allen)	6/11	NO	6/11/13	
	Tonya Rushing Docs/ To: Tonya - Memo 12/06/04 Re: Scheduling payments	6/11	NO	6/11/13	
	Tonya Rushing Docs/Mike Reed IPA Management	6/11	NO	6/11/13	
	Tonya Rushing Docs/ Memo 9/19/02	6/11	NO	6/11/13	
	Tonya Rushing Docs/ Memo Re: Endo Center 8/30/02	6/11	NO	6/11/13	
	Anesthesia Insurance Billing Records - Orellana /Patient Procedure History	6/20/13	NO	6/20/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
✓ [REDACTED]	Anesthesia Insurance Billing Records - Orellana / Explanation of Benefits	6/20/13	NO	6/20/13	
✓ [REDACTED]	Anesthesia Insurance Billing Records - Orellana / Claim Detail	6/20/13	NO	6/20/13	
✓ [REDACTED]	Anesthesia Policy – (replaced – original made court's exhibit)	6/20/13	NO	6/20/13	
✓ [REDACTED]	Anesthesia Insurance Billing Records – Washington/Patient Procedure History	6/17/13	OBJ.		
✓ [REDACTED]	Anesthesia Insurance Billing Records – Washington/Source: Vista – Check for Insurance	6/18/13	NO	6/18/13	
✓ [REDACTED]	Anesthesia Insurance Billing Records – Washington/Veteran Payment History	6/18/13	NO	6/18/13	
✓ [REDACTED]	Anesthesia Insurance Billing Records – Meana/Patient Financial History	6/12/12	NO	6/12/12	
✓ [REDACTED]	Anesthesia Insurance Billing Records – Meana/ 1500 Form	6/12/12	NO	6/12/12	
✓ [REDACTED]	Anesthesia Insurance Billing Records – Martin/ Patient Financial History	6/12/12	NO	6/12/12	
✓ [REDACTED]	Anesthesia Insurance Billing Records – Martin/Subscriber and List of Dependents	6/12/12	NO	6/12/12	
✓ [REDACTED]	Anesthesia Insurance Billing Records – Grueskin	6/20/13	NO	6/20/13	
✓ [REDACTED]	Anesthesia Insurance Billing Records – Hutchinson/HPN	6/20/13	NO	6/20/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
	Explanation of Benefits				
	Anesthesia Insurance Billing Records – Hutchinson/1500 form	6-26-13			
245.	Anesthesia Insurance Billing Records – Ziyad				
	Anesthesia Insurance Billing Records – Aspinwall/ Claim Form	6-26-13		6-26-13	
	Anesthesia Insurance Billing Records – Aspinwall/1500 Form	6-26-13		6-26-13	
216a-1.	Part of Exhibit 216 –pages taken out (6)				
	Anesthesia Insurance Billing Records – Aspinwall/ Anthem Explanation of Benefits	6/18/13	NO	6/18/13	
	Anesthesia Insurance Billing Records – Rubino	6-26-13		6-26-13	
	Anthem Blue Cross and Blue Shield Colorado and Nevada Reimbursement Policy Effective 2/01/07	6/18/13	NO	6/18/13	
	AAANA Letter dated 9/23/02	6/14/13	NO	6/14/13	
	AAANA Scope and Standards for Nurse Anesthesia Practice B#000078 – 000083	6/14/13	NO	6/14/13	
	AAANA Standards for Office Based Anesthesia Practice B# 000084 – 000091	6/14/13	NO	6/14/13	
	AAANA Code of Ethics B# 000021 – 000024	6/14/13	NO	6/14/13	
	AAANA Infection Control Guide B# 000025 – 000054	6/14/13	NO	6/14/13	

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
228.	AANA Release 11/13/02 – Reuse of needles and syringes by healthcare providers puts patients at risk B# 000063 – 000077	6/14/13	NO	6/14/13	
229.	AANA letter dated 9/30/02	6/14/13	NO	6/14/13	
230.	AANA Records for Keith Mathahs B# 000055, 000060-000062	6/14/13	NO	6/14/13	
231.	AANA Records for Ronald Lakeman B#000056 – 000059	6/14/13	NO	6/14/13	
232.	Table 20-1. Modes of Transmission	6/17/13	OBJ	6/17/13	
233.	2007 Anesthesia Policy for United Health Care – MADE COURT'S EXHIBIT #18				Ct #18
234.	Veterans Affairs contract – Subj: Extension of Contract V593P – 6633 – Gastro and Endo	6/17/13			Ct #19
235.	Veterans Affairs policy – payment for Non-VA physician and other health care professional services	6/17/13			
236.	Sonia Orellana – outpatient surgical center services agreement				Ct #20
237.	Outpatient Surgical Center Services Amendment / Hotel Employees and Restaurant Employees – International Union Welfare Fund – Fund Unit 150				Ct exhibit #21
238.	Endoscopy Center of Southern Nevada I & II – Outpatient Surgical Center Services Amendment / Hotel Employees and Restaurant Employees – International Union Welfare Fund – Fund Unit 150				CtS exhibit #23

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
235. ✓	3 rd Amendment to Outpatient Surgical Center Services Amendment / Hotel Employees and Restaurant Employees – International Union Welfare Fund – Fund Unit 150			at exhibit 22	
	Anthem Blue Cross Blue Shield Contracts – Provider Contract Date Sheet – Endo Center West	6/18/13	NO	6/18/13	
	Anthem Blue Cross Blue Shield Contracts – Gastro Center INS	6/18/13	NO	6/18/13	
	Anthem Blue Cross Blue Shield Contracts – Gastro Center INS & HMO	6/18/13	NO	6/18/13	
	Rodolfo Meana's Driver's license	6/19/13	NO	6/19/13	
	Medical Group Participation Agreement (substituted with certification from custodian of records)	6/19/13	OBJ	6/19/13	
	Appendix 3-Market Standard Specifications	6/19/13	OBJ	6/19/13	
242.	Box of Folders				
242a.	Ronald Lakeman, CRNA				
242b.	Thomas Yee, MD				
242c.	Clifford Carrol, MD				
242d.	Dipak Desai, MD				
242e.	Keith Mathas, CRNA				
242f.	Satish Sharma, MD				

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Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
✓ 242g.	Dipesh Banker, MD				
✓ 242h.	Eladio Carrera, MD				
✓ 242i.	Antonio DeCarli, MD				
✓ 242j.	Snehal, Desai, MD				
✓ 242k.	Frank Faris, MD				
✓ 242l.	Carmelo Herrero, MD				
✓ 242m.	Linda Hubbard, CRNA				
✓ 242n.	AnnMarie Lobiondo, CRNA				
✓ 242o.	David Manuel, MD				
✓ 242p.	Albert Mason, CRNA				
✓ 242q.	Ralph McDowell, CRNA				
✓ 242r.	Vincent Mione, CRNA				
✓ 242s.	Ranadev Mukherjee, MD				
✓ 242t.	Sanjay Nayyar, MD				
✓ 242u.	Vincent Sagendorf, CRNA				
✓ 242v.	Vishvinder Sharma, MD				
✓ 242w.	Shahid Wahid, MD				
✓ 242x.	Nicolae, Weisz, MD				

STATE'S EXHIBITS

CASE NO. C265107-1/2
C283381-1/2

Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
	Muscogee County Board of Assessors Document	6/21/13	NO	6/21/13	
	Prof. Claim 2007 101750600011	6/21/13	NO	6/21/13	
	Extended fee schedule	6/21/13	NO	6/21/13	
	207 conversion factors	6/21/13	NO	6/21/13	
	Screen Shot RE: Medical Reimbursement Rate	6/21/13	NO	6/21/13	
245.	Photo of Carole Grueskin <i>Q4 exhibit #28</i>	6/27/13			

C283381-1/2

Last printed 07/03/2013 2:31:00 PM

DEFT DESAI'S EXHIBITS**CASE NO.****C265107-1/2
C283381-1/2**

Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
A1	Guilty Plea Agreement dated 12/10/12	5/14/13	Stip	5/14/13	
B1	Agreement to testify	5/14/13	Stip	5/14/13	
C1	Document marked Satish Sharma - bates stamped 7238	5/14/13	Stip	5/14/13	
D1	3/6/07 -Letter from C. Carrol to Dr. Desai	5/17/13	Stip	5/17/13	
E1	Letter to Frank Cremen 2/20/10	5/17/13	Stip	5/17/13	
F1	Letter from the District Attorney's office Dr. Sharma	5/20/13	Obj.	5/20/13	
G1	6/9/08 Letter from Frank Cremen	5/20/13	Obj.		
H1	2/24/10 FAX to Dr. Clifford Carrol	5/20/13			
I1	2/5/10 letter to Tom Pitaro / Proffer Dr. Carrera	5/22/13	Stip	5/22/13	
J1	Letter from the District Attorney - Vincent Mione	5/28/13	no	5/28/13	
K1	Memorandum to Mr. Momot, Esq. July 15, 2008	5/29/13	Obj.	Not	
			Hearsay	admitted	
L1	CRNA Classified Ad	6/3/13	No	6/3/13	
M1	Dangerous Misperceptions oneandonlycampaign.org	6/5/13	No	6/5/13	
N1	Provider Education Article for Wastage of Drugs in single dose vials (Clean copy)	6/5/13	No	6/5/13	

DEFT DESAI'S EXHIBITS**CASE NO.****C265107-1/2
C283381-1/2**

Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
O1	Letter from the District Attorney's Office - Proffer Letter Lobiando	6/11/13	No	6/11/13	
P1	Position Statement 2.13 (Testimony of Mark Silberman – AANA)	6/14/13	No	6/14/13	
Q1	Brian Labus – Litigation Services Document	6/14/13	Obj.		
R1	Nv. State Health Technical Bulletin	6/14/13	No	6/14/13	
S1	CDC Article – A Patient Safety Threat – Syringe Reuse				
T1	Letter to the District Attorney from Mr. Wright's Law Office				
U1	Proffer – Linda Hubbard	6/21/13	NO	6/21/13	
V1	Propofol Chart with Price	6/21/13	NO	6/21/13	
W1	Propofol Costs Analysis – Baxter	6/26/13	NO	6/26/13	
X1	Propofol Orders - Baxter Invoice dated 08/07/07, 4/13/06, 8/01/06 – Desert Shadow Endoscopy Center (Burnham address)	6/21/13	NO	6/21/13	
Y1	Propofol Orders - Baxter Anesthesia and Critical Care – (Burnham address) Orders dated – 4/26/06, 5/15/06, 5/22/06, 8/25/06	6/21/13	NO	6/21/13	

DEFT DESAI'S EXHIBITS**CASE NO.****C265107-1/2
C283381-1/2**

Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted	Location
Z1.	Procedure Chart – Victims with their time derived from exhibit #’s 156 and 157 (replaced)	6/21/13	NO	6-24-13	
AA1.	Nevada Physician’s Imaging – Rodolfo Meana Renal Ultrasound	6/24/13	STIP	6/24/13	
BB1.	Meana total proceeds received from Civil litigation	6/25/13	No	6/25/13	
CC1.	Statement of Deficiencies – 2/15/2008 – Gastrointestinal Diagnostic CI	6/25/13	Obj.	6/25/13	
DD1.	Meana Quest Diagnostics Lab result - 2008 Liver Biopsy	6/25/13	No	6/25/13	

Court's Exhibit List

CASE NO. C265107-1/2

Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted
✓1.	State's Opening - powerpoint	5/6/13	No	5/6/13
✓2.	Peremptory Challenges	5/6/13	No	5/6/13
✓3.	CDC Document	5/7/13	No	5/7/13
✓4.	Jury questions from May 2013 – (60)	5/8/13	No	5/8/13
✓5.	CMS Conditions (part of State's Exhibit 65)	5/9/13	No	5/9/13
✓6.	Note from Juror #9	5/20/13	No	5/20/13
✓7.	Article : Infection Control Assessment	6/5/13	No	6/5/13
✓8.	Review Journal Article	6/5/13	No	6/5/13
★9.	State's Proposed #174	6/7/13	No	6/7/13
✓10.	State's Proposed #178	6/7/13	No	6/7/13
✓11.	Jury questions from June 2013 – (24)	6/3/13	No	6/3/13
✓12.	Notes from witness Patricia Shibona	6/13/13	No	6/13/13
✓13.	DVD of Meana's Depo	6/20/13	No	6/20/13
✓14.	Trilogy Claims Admin Book (State's former exhibit 209C)	6/20/13	No	6/20/13
✓15.	Gillock and Killebrew letter	6/20/13	No	6/20/13
✓16.	State's Exhibit #19 – Meana Autopsy Report	6/24/13	No	6/24/13
✓17.	Correct proffer letter – Carrera (Exhibit I-1)	6/25/13	No	6/25/13
✓18.	State's exhibit #229	6/26/13	No	6/26/13
✓19.	State's exhibit # 230	6/26/13	No	6/26/13

Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted
✓20.	State's exhibit # 232	6/26/13	No	6/26/13
✓21.	State's exhibit # 233	6/26/13	No	6/26/13
✓22.	State's exhibit # 235	6/26/13	No	6/26/13
✓23.	State's exhibit # 234	6/26/13	No	6/26/13
✓24.	State's Closing	6/27/13	No	6/27/13
✓25.	R&R Records	6/27/13	No	6/27/13
✓26.	Affidavit (1).doc – seizure document re: State's exhibit #87	6/27/13	No	6/27/13
✓27.	State's Closing (2) – Propofol, CDC, SNHD, and LVMPD	6/27/13	No	6/27/13
✓28.	State's exhibit # 245	6/27/13	No	6/27/13
✓29.	Jury question	7/1/13	No	7/1/13
✓30.	Jury question and response	7/1/13	No	7/1/13
✓31.	Additional Jury Instruction	7/1/13	No	7/1/13
✓32.	Jury question	7/1/13	No	7/1/13
✓33.	Note from Juror	7/1/13	No	7/1/13
✓34.	Note from Juror	7/1/13	No	7/1/13
✓35.	Response to Scott Mitchell Concerns	7/1/13	No	7/1/13
✓36.	Patient Name Chart	7/1/13	No	7/1/13
37	Box 1 – Jury Questionnaire			
38	Box 2			
39	Box 3			
40	Box 4			

Exhibit #	Exhibit Description	Date Offered	Objection	Date Admitted



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

RICHARD A. WRIGHT, ESQ.
300 S. FOURTH ST., SUITE 701
LAS VEGAS, NV 89101

DATE: December 10, 2013
CASE: C265107-1

RE CASE: STATE OF NEVADA vs. DIPAK KANTILAL DESAI

NOTICE OF APPEAL FILED: December 6, 2013

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:



Case Appeal Statement

- NRAP 3 (a)(1), Form 2



Order



Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; JUDGMENT OF CONVICTION (JURY TRIAL); AMENDED JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

DIPAK KANTILAL DESAI,

Defendant(s).

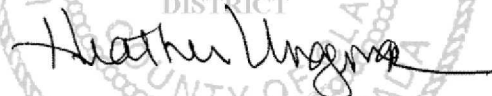
Case No: C265107-1

Dept No: XXI

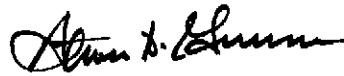
now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 10 day of December 2013.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



CLERK OF THE COURT

1 **NOTC**
2 Richard A. Wright, Esq.
3 Nevada Bar No.: 0886
4 Margaret M. Stanish, Esq.,
5 Nevada Bar No. 4056
6 **WRIGHT STANISH & WINCKLER**
7 300 S. Fourth Street
8 Suite 701
9 Las Vegas, NV 89101
10 (702) 382-4004
11 Attorneys for Defendant

Electronically Filed
Dec 12 2013 11:33 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

7 **EIGHTH JUDICIAL DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

10 STATE OF NEVADA,

11 Plaintiff,

12 vs.

13 DIPAK KANTILAL DESAI,

14 Defendant.

CASE NO.: C265107-1
DEPT. XXI

15 **NOTICE OF APPEAL**

16 TO: THE STATE OF NEVADA

17 STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY,
18 NEVADA and DEPARTMENT NO. XXI OF THE EIGHTH JUDICIAL
19 DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF CLARK.

20 NOTICE is hereby given that DIPAK KANTILAL DESAI, defendant above
21 named, presently in custody, appeals to the Supreme Court of the State of Nevada
22 from the Judgment of Conviction entered against him on the 13th day of November,
23 2013, as amended on November 21, 2013 whereby he was convicted of AS TO
24 COUNT 1 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a
25 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
26 of Corrections (NDC); AS TO COUNT 2 - TO A MAXIMUM of FORTY-EIGHT
27 (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in
28 the Nevada Department of Corrections (NDC), COUNT 2 to run CONCURRENT

1 with COUNT 1; AS TO COUNT 3 - TO A MAXIMUM of SIXTY (60) MONTHS
2 with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS in the
3 Nevada Department of Corrections (NDC), COUNT 3 to run CONCURRENT with
4 COUNT 2; AS TO COUNT 5 - TO A MAXIMUM of THIRTY-FOUR (34)
5 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the
6 Nevada Department of Corrections (NDC), COUNT 5 to run CONCURRENT with
7 COUNT 3; AS TO COUNT 6 - TO A MAXIMUM of FORTY-EIGHT (48)
8 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the
9 Nevada Department of Corrections (NDC), COUNT 6 to run CONCURRENT with
10 COUNT 5; AS TO COUNT 7 - TO A MAXIMUM of SIXTY (60) MONTHS with
11 a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada
12 Department of Corrections (NDC), COUNT 7 to run CONSECUTIVE to COUNT 6;
13 AS TO COUNT 8 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a
14 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
15 of Corrections (NDC), COUNT 8 to run CONCURRENT with COUNT 7; AS TO
16 COUNT 9 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a
17 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
18 of Corrections (NDC), COUNT 9 to run CONCURRENT with COUNT 8; AS TO
19 COUNT 10 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole
20 Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada Department of
21 Corrections (NDC), COUNT 10 to run CONSECUTIVE to COUNT 9; AS TO
22 COUNT 11 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a
23 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
24 of Corrections (NDC), COUNT 11 to run CONCURRENT with COUNT 10; AS TO
25 COUNT 12 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a
26 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
27 of Corrections (NDC), COUNT 12 to run CONCURRENT with COUNT 11; AS TO
28 COUNT 13 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole

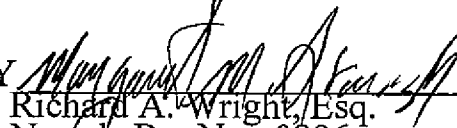
1 Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada Department of
2 Corrections (NDC), COUNT 13 to run CONCURRENT with COUNT 12; AS TO
3 COUNT 14 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a
4 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
5 of Corrections (NDC), COUNT 14 to run CONCURRENT with COUNT 13; AS TO
6 COUNT 15 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a
7 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
8 of Corrections (NDC), COUNT 15 to run CONCURRENT with COUNT 14; AS TO
9 COUNT 16 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a
10 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
11 of Corrections (NDC), COUNT 16 to run CONCURRENT with COUNT 15; AS TO
12 COUNT 17 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole
13 Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada Department of
14 Corrections (NDC), COUNT 17 to run CONCURRENT with COUNT 16; AS TO
15 COUNT 18 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a
16 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
17 of Corrections (NDC), COUNT 18 to run CONCURRENT with COUNT 17; AS TO
18 COUNT 19 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a
19 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department
20 of Corrections (NDC), COUNT 19 to run CONCURRENT with COUNT 17; AS TO
21 COUNT 20 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole
22 Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada Department of
23 Corrections (NDC), COUNT 20 to run CONCURRENT with COUNT 18; AS TO
24 COUNT 21 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a
25 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada e
26 Department of Corrections (NDC), COUNT 21 to run CONCURRENT with COUNT
27 20; AS TO COUNT 22 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with
28 a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada

1 Department of Corrections (NDC), COUNT 22 to run CONCURRENT with COUNT
2 20; AS TO COUNT 23 - TO A MAXIMUM of SIXTY (60) MONTHS with a
3 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada
4 Department of Corrections (NDC), COUNT 23 to run CONSECUTIVE to COUNT
5 21; AS TO COUNT 24 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with
6 a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada
7 Department of Corrections (NDC), COUNT 24 to run CONCURRENT with COUNT
8 23; AS TO COUNT 25 - SIX (6) MONTHS in the Clark County Detention Center
9 (CCDC), COUNT 25 to run CONCURRENT with other Counts; and AS TO COUNT
10 26 - SIX (6) MONTHS in the Clark County Detention Center (CCDC); COUNT 26
11 to run CONCURRENT with other Counts; AS TO COUNT 27 - SIX (6) MONTHS
12 in the Clark County Detention Center (CCDC); COUNT 27 to run CONCURRENT
13 with other Counts; and AS TO COUNT 28 - LIFE with a MINIMUM Parole
14 Eligibility of ONE HUNDRED TWENTY (120) MONTHS in the Nevada
15 Department of Corrections (NDC), COUNT 28 to run CONSECUTIVE to COUNT
16 24; with THREE HUNDRED NINETEEN (319) DAYS Credit for Time Served.

17 Dated this 6th day of December, 2013.

18 WRIGHT STANISH & WINCKLER

19
20 BY


Richard A. Wright, Esq.

Nevada Bar No.: 0886

Margaret M. Stanish, Esq.

Nevada Bar No.: 4056

Attorneys for Dipak Kantilal Desai

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EXECUTED on the 6 day of December, 2013.

~~An employee of Wright Stanish & Winckler~~

RECEIPT OF COPY of the foregoing Notice of Appeal is hereby
acknowledged this 6 day of Dec, 2013.

By:

DEPARTMENT 21
CASE SUMMARY
CASE NO. 10C265107-1

The State of Nevada vs Dipak K Desai

§ Location: **Department 21**
§ Judicial Officer: **Adair, Valerie**
§ Filed on: **06/04/2010**
§ Case Number History:
§ Cross-Reference Case **C265107**
§ Number:
§ Defendant's Scope ID #: **1240942**
§ Lower Court Case Number: **09GJ00049**

CASE INFORMATION

Offense	Deg	Date	Case Type: Felony/Gross Misdemeanor
1. INSURANCE FRAUD	F	01/01/1900	Case Flags: Consolidated - Lead Case Appealed to Supreme Court Custody Status - Nevada Department of Corrections Bond/Bail Exonerated Charge Description Updated
<i>Filed As:</i> UNLAWFUL RACKETEERING.	F	06/04/2010	
1. AS USED IN NRS 207.360-207.520, INCLUSIVE, UNLESS CONTEXT OTHERWISE REQUIRES	F	01/01/1900	
1. "CRIME RELATED TO RACKETEERING" MEANS THE COMMISSION OF ATTEMPT TO	F	01/01/1900	
1. "CRIMINAL SYNDICATE" MEANS ANY COMBINATION OF PERSONS, SO STRUCTURED	F	01/01/1900	
1. "ENTERPRISE" INCLUDES ANY NATURAL PERSON, SOLE PROPRIETORSHIP, PARTNERSHIP, CORP	F	01/01/1900	
1. RACKETEERING ACTIVITY MEANS ENGAGING IN AT LEAST 2 CRIMES RELATED TO	F	01/01/1900	
2. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900	
<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE OR	F	06/04/2010	
3. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900	
<i>Filed As:</i> RECKLESS ENDANGERMENT	F	06/04/2010	
4. SUBSTANTIAL BODILY HARM.	F	01/01/1900	
4. INSURANCE FRAUD	F	01/01/1900	
<i>Filed As:</i> CRIMINAL NEGLIGENCE OF PATIENTS	F	06/04/2010	
5. INSURANCE FRAUD	F	01/01/1900	
<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE OR	F	06/07/2010	
6. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900	
<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE OR	F	06/07/2010	

DEPARTMENT 21
CASE SUMMARY
CASE No. 10C265107-1

7.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
7.	CRIMINAL NEGLECT OF PATIENTS RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> RECKLESS ENDANGERMENT	F	06/04/2010
8.	INSURANCE FRAUD	F	01/01/1900
	<i>Filed As:</i> CRIMINAL NEGLECT OF PATIENTS	F	06/04/2010
8.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
9.	PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE OR	F	06/04/2010
10.	CRIMINAL NEGLECT OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> RECKLESS ENDANGERMENT	F	06/04/2010
10.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
11.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
11.	INSURANCE FRAUD	F	01/01/1900
	<i>Filed As:</i> CRIMINAL NEGLECT OF PATIENTS	F	06/07/2010
12.	PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE OR	F	06/04/2010
13.	CRIMINAL NEGLECT OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> RECKLESS ENDANGERMENT	F	06/04/2010
13.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
14.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
14.	INSURANCE FRAUD	F	01/01/1900
	<i>Filed As:</i> CRIMINAL NEGLECT OF PATIENTS	F	06/04/2010
15.	INSURANCE FRAUD	F	01/01/1900
	<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE OR	F	06/04/2010
16.	PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE	F	06/04/2010

DEPARTMENT 21
CASE SUMMARY
CASE No. 10C265107-1

	OR		
17.	CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> RECKLESS ENDANGERMENT	F	06/04/2010
17.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
18.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
18.	INSURANCE FRAUD	F	01/01/1900
	<i>Filed As:</i> CRIMINAL NEGLIGENCE OF PATIENTS	F	06/04/2010
19.	PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE OR	F	06/04/2010
20.	CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> RECKLESS ENDANGERMENT	F	06/04/2010
20.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
21.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
21.	INSURANCE FRAUD	F	01/01/1900
	<i>Filed As:</i> CRIMINAL NEGLIGENCE OF PATIENTS	F	06/07/2010
22.	PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE OR	F	06/04/2010
23.	CRIMINAL NEGLIGENCE OF PATIENTS, RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900
	<i>Filed As:</i> RECKLESS ENDANGERMENT	F	06/04/2010
23.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
24.	SUBSTANTIAL BODILY HARM.	F	01/01/1900
24.	INSURANCE FRAUD	F	01/01/1900
	<i>Filed As:</i> CRIMINAL NEGLIGENCE OF PATIENTS	F	06/04/2010
25.	THEFT	M	01/01/1900
	<i>Filed As:</i> PRESENTING ANY STATEMENT TO AN INSURER OR AGENT THAT CONTAINS FALSE OR	F	06/04/2010
26.	OBTAINING MONEY UNDER FALSE PRETENSES	M	01/01/1900
	<i>Filed As:</i> ACTIONS WHICH CONSTITUTE THEFT	F	06/04/2010
26.	THEFT-PENALTIES	F	01/01/1900
27.	IT SHALL BE NO DEFENSE TO A PROSECUTION FOR LARCENY	F	01/01/1900

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THAT THE ACCUSED WAS		
27.	OBTAINING MONEY UNDER FALSE PRETENSES	M 01/01/1900
	<i>Filed As:</i> OBTAINING MONEY UNDER FALSE PRETENSES.	F 06/04/2010
28.	MURDER, SECOND DEGREE	F 09/21/2007
28.	IT SHALL BE NO DEFENSE TO A PROSECUTION FOR LARCENY THAT THE ACCUSED WAS	F 01/01/1900
28.	OBTAINING MONEY UNDER FALSE PRETENSES	F 01/01/1900

Related Cases

10C265107-2 (Multi-Defendant Case)
10C265107-3 (Multi-Defendant Case)
C-12-283381-1 (Consolidated)
C-12-283381-2 (Consolidated)
C-12-283381-3 (Consolidated)

Statistical Closures

10/31/2013 Jury Trial - Conviction - Criminal

Warrants

Bench Warrant - Desai, Dipak Kantilal (Judicial Officer: Mosley, Donald)
06/11/2010 Quashed
06/04/2010 Issued
Fine: \$0 Bond: \$0

Bonds

Cash #01524968 \$1,000,000.00
11/14/2013 Exonerated
6/7/2010 Active
Counts: 1, 1, 1, 1, 1, 1, 10, 10, 11, 11, 12, 13, 13, 14, 14, 15, 16, 17, 17, 18, 18, 19, 2, 20, 20, 21, 21, 22, 23, 23, 24, 24, 25, 26, 26, 27, 27, 28, 28, 3, 4, 4, 5, 6, 7, 7, 8, 8, 9

DATE		CASE ASSIGNMENT		
	Current Case Assignment			
	Case Number	10C265107-1		
	Court	Department 21		
	Date Assigned	03/02/2012		
	Judicial Officer	Adair, Valerie		
PARTY INFORMATION				
Defendant	Desai, Dipak Kantilal	Lead Attorneys Wright, Richard A. Retained 7023824004(W)		
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)		
Other	Nevada Mutual Insurance Co	Bailus, Mark B. Retained 7027377702(W)		
DATE		EVENTS & ORDERS OF THE COURT		INDEX

01/18/2010



Notice

Defendant Ronald Lakeman's Notice of Joinder in Defendant Keith H. Mathahs Petition for

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	<i>Writ of Habeas Corpus</i>	
06/04/2010	Grand Jury Indictment (11:45 AM) <i>GRAND JURY INDICTMENT Heard By: ELISSA CADISH</i>	
06/04/2010	 Indictment <i>(GRAND JURY) INDICTMENT Fee \$0.00</i>	10C265107- 10001.tif pages
06/04/2010	Hearing <i>GRAND JURY INDICTMENT</i>	10C265107- 10002.tif pages
06/04/2010	Hearing <i>INITIAL ARRAIGNMENT</i>	10C265107- 10003.tif pages
06/04/2010	Bench Warrant <i>BENCH WARRANT ISSUED</i>	10C265107- 10004.tif pages
06/04/2010	Order <i>ORDER OF INTENT TO FORFEIT</i>	10C265107- 10005.tif pages
06/04/2010	Bench Warrant <i>BENCH WARRANT ISSUED</i>	10C265107- 10006.tif pages
06/04/2010	Order <i>ORDER OF INTENT TO FORFEIT</i>	10C265107- 10007.tif pages
06/04/2010	Bench Warrant <i>BENCH WARRANT ISSUED</i>	10C265107- 10008.tif pages
06/04/2010	Order <i>ORDER OF INTENT TO FORFEIT</i>	10C265107- 10009.tif pages
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06/04/2010	 Conversion Case Event Type <i>INDICTMENT WARRANT</i>	10C265107- 10014.tif pages
06/04/2010	 Conversion Case Event Type <i>INDICTMENT WARRANT</i>	10C265107- 10015.tif pages
06/07/2010	 Motion <i>DEFT'S MTN TO RECALL ARREST WARRANT AND MTN FOR O.R. RELEASE OR TO REDUCE BAIL/9</i>	10C265107- 10010.tif pages
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06/07/2010	 Bench Warrant <i>INDICTMENT WARRANT RETURN (CONTINUED FROM 6/9/10)</i>	10C265107- 10021.tif pages
06/07/2010	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 10C265107_0003</i>	10C265107- 10025.tif pages
06/08/2010	 Motion <i>O.R. RELEASE/BAIL REDUCTION</i>	10C265107- 10017.tif pages
06/08/2010	 Request <i>MOTION FOR RELEASE ON OWN RECOGNIZANCE AND ORIN THE ALTERNATIVE MOTION FOR REASONABLE BAIL MOTION FOR REASONABLE BAIL- RELATED PARTYID: 10C265107_0003</i>	10C265107- 10027.tif pages
06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 1 HEARING 3/11/10</i>	10C265107- 10033.tif pages
06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 1-A HEARING 3/11/10</i>	10C265107- 10034.tif pages
06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 2 HEARING 3/18/10</i>	10C265107- 10035.tif pages
06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 3 HEARING 4/15/10</i>	10C265107- 10036.tif pages
06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 3A HEARING 4/15/10</i>	10C265107- 10037.tif pages
06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 4 HEARING 4/22/10</i>	10C265107- 10038.tif pages
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06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 8 HEARING 5/20/10</i>	10C265107-10043.tif pages
06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 9 HEARING 5/27/10</i>	10C265107-10044.tif pages
06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - GRAND JURY VOLUME 10 HEARING 6/3/10</i>	10C265107-10045.tif pages
06/08/2010	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS - VOLUME 4-A - HEARD 04-22-10</i>	10C265107-10052.tif pages
06/09/2010	Initial Arraignment (9:00 AM) Events: 06/04/2010 Hearing <i>INITIAL ARRAIGNMENT Heard By: Donald Mosley</i>	
06/09/2010	Motion (9:00 AM) Events: 06/07/2010 Motion <i>DEFT'S MTN TO RECALL ARREST WARRANT AND MTN FOR O.R. RELEASE OR TO REDUCE BAIL/9 Heard By: Donald Mosley</i>	
06/09/2010	Bench Warrant Return (9:00 AM) Events: 06/07/2010 Bench Warrant <i>BENCH WARRANT RETURN Heard By: Linda Bell</i>	
06/09/2010	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 6/9/10 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
06/09/2010	Hearing <i>INITIAL ARRAIGNMENT (CONTINUED FROM 6/9/10)</i>	10C265107-10019.tif pages
06/09/2010	Motion <i>DEFT'S MOTION TO RECALL ARREST WARRANT/ MOTION FOR O.R. RELEASE</i>	10C265107-10020.tif pages
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06/09/2010	 Bench Warrant <i>INDICTMENT WARRANT RETURN</i>	10024.tif pages
06/09/2010	 Receipt of Copy <i>RECEIPT OF COPY - RELATED PARTYID: 10C265107_0002</i>	10C265107-10028.tif pages
06/10/2010	 Media Request and Order <i>MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS</i>	10C265107-10062.tif pages
06/11/2010	Initial Arraignment (9:00 AM) Events: 06/09/2010 Hearing <i>INITIAL ARRAIGNMENT (CONTINUED FROM 6/9/10)</i>	
06/11/2010	Motion for Own Recognizance Release/Settling Reasonable Bail (9:00 AM) Events: 06/09/2010 Motion <i>DEFT'S MOTION TO RECALL ARREST WARRANT/ MOTION FOR O.R. RELEASE</i>	
06/11/2010	Bench Warrant Return (9:00 AM) Events: 06/07/2010 Bench Warrant <i>INDICTMENT WARRANT RETURN (CONTINUED FROM 6/9/10)</i>	
06/11/2010	Initial Arraignment (9:00 AM) Events: 06/09/2010 Hearing <i>INITIAL ARRAIGNMENT</i>	
06/11/2010	Bench Warrant Return (9:00 AM) Events: 06/09/2010 Bench Warrant <i>INDICTMENT WARRANT RETURN</i>	
06/11/2010	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 6/11/10 Court Clerk: Linda Skimmer Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i>	
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06/11/2010	 Receipt of Copy <i>RECEIPT OF COPY #1</i>	10C265107-10048.tif pages
06/11/2010	 Receipt of Copy <i>RECEIPT OF COPY #1</i>	10C265107-10049.tif pages
06/11/2010	 Indictment <i>AMENDED (GRAND JURY) INDICTMENT</i>	10C265107-10051.tif pages
06/11/2010	Plea (Judicial Officer: Adair, Valerie) 1. INSURANCE FRAUD Not Guilty 2. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty	

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	3. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty
06/11/2010	Plea (Judicial Officer: Adair, Valerie) 4. INSURANCE FRAUD Not Guilty 5. INSURANCE FRAUD Not Guilty 6. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty 7. CRIMINAL NEGLIGENCE OF PATIENTS RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty
06/11/2010	Plea (Judicial Officer: Adair, Valerie) 9. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OF PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty 10. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty 11. INSURANCE FRAUD Not Guilty 12. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty
06/11/2010	Plea (Judicial Officer: Adair, Valerie) 8. INSURANCE FRAUD Not Guilty 13. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty 14. INSURANCE FRAUD Not Guilty
06/11/2010	Plea (Judicial Officer: Adair, Valerie) 15. INSURANCE FRAUD Not Guilty 16. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty 17. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty 18. INSURANCE FRAUD Not Guilty 19. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING SUBSTANTIAL BODILY HARM Not Guilty 20. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty 21. INSURANCE FRAUD Not Guilty 22. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty 23. CRIMINAL NEGLIGENCE OF PATIENTS, RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty
06/11/2010	Plea (Judicial Officer: Adair, Valerie)

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	25. THEFT Not Guilty	
	26. OBTAINING MONEY UNDER FALSE PRETENSES Not Guilty	
	28. MURDER, SECOND DEGREE Not Guilty	
06/11/2010	Plea (Judicial Officer: Adair, Valerie) 24. INSURANCE FRAUD Not Guilty 27. OBTAINING MONEY UNDER FALSE PRETENSES Not Guilty	
06/14/2010	Motion for Own Recognizance Release/Settng Reasonable Bail (9:00 AM) Events: 06/08/2010 Motion <i>O.R. RELEASE/BAIL REDUCTION Court Clerk: Linda Skinner/ls Relief Clerk: Karina Kennedy Reporter/Recorder: Renee Silvaggio Heard By: Donald Mosley</i>	
06/14/2010	Motion <i>DEFT'S MTN FOR OWN RECOGNIZANCE RELEASE OR BAIL REDUCTION (CONT FROM 6/14/10)</i>	10C265107-10046.tif pages
06/14/2010	Hearing <i>STATUS CHECK: DEFENDANT</i>	10C265107-10047.tif pages
06/14/2010	 Bond <i>BAIL BOND #SC00-1914118 \$500,000.00</i>	10C265107-10053.tif pages
06/14/2010	 Receipt <i>RECEIPT FOR GRAND JURY TRANSCRIPTS</i>	10C265107-10054.tif pages
06/14/2010	 Media Request and Order <i>MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS</i>	10C265107-10061.tif pages
06/14/2010	 Media Request and Order <i>MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS</i>	10C265107-10063.tif pages
06/14/2010	 Media Request and Order <i>MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS</i>	10C265107-10064.tif pages
06/16/2010	 Motion <i>STATE'S MTN TO COMPEL DISCLOSURE OF MEDICAL PROVIDERS,DEPT 5 FOR COMPETENCY</i>	10C265107-10055.tif pages
06/16/2010	 Bench Warrant <i>INDICTMENT WARRANT RETURN</i>	10C265107-10056.tif pages
06/16/2010	 Receipt <i>RECEIPT FOR GRAND JUR TRANSCRIPTS - VOLUMES 1 1A 2-3 3A-4 4A 5-10</i>	10C265107-10057.tif pages
06/16/2010	 Bond	10C265107-10058.tif pages

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	<i>BAIL BOND #U500-20266273 \$500,000.00</i>	
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06/18/2010	 Receipt of Copy <i>RECEIPT OF COPY #1</i>	<i>10C265107-10060.tif pages</i>
06/22/2010	Motion <i>STATE'S MOTION TO COMPEL DISCLOSURE OF MEDICAL PROVIDERS, DEPT 5 FOR COMPETENCY</i>	<i>10C265107-10065.tif pages</i>
06/22/2010	 Receipt of Copy <i>RECEIPT OF COPY #2</i>	<i>10C265107-10066.tif pages</i>
06/23/2010	Motion (9:00 AM) Events: 06/14/2010 Motion <i>DEFT'S MTN FOR OWN RECOGNIZANCE RELEASE OR BAIL REDUCTION (CONT FROM 6/14/10)</i>	
06/23/2010	Status Check (9:00 AM) Events: 06/14/2010 Hearing <i>STATUS CHECK: DEFENDANT</i>	
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06/23/2010	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 6/23/10 Court Clerk: Linda Skimmer/Is Relief Clerk: Karina Kennedy Reporter/Recorder: Marcia Leonard Heard By: Donald Mosley</i>	
06/23/2010	Motion <i>ALL PENDING MOTIONS 6/23/10</i>	<i>10C265107-10067.tif pages</i>
06/23/2010	Hearing <i>STATUS CHECK: DISCOVERY</i>	<i>10C265107-10070.tif pages</i>
06/23/2010	 Motion <i>DEFT'S MTN TO QUASH GRAND JURY SUBPOENA & TO COMPEL D</i>	<i>10C265107-10071.tif pages</i>
06/23/2010	 Reply <i>REPLY TO DEFENSE MTN TO QUASH GRAND JURY SUBPOENA AND TO COMPEL DISCLOSURE OF ANY OTHER ABUSE OF GRAND JURY PROCESS OTHER ABUSE OF GRAND JURY PROCESS</i>	<i>10C265107-10072.tif pages</i>
06/28/2010	CANCELED Motion to Compel (9:00 AM) Events: 06/16/2010 Motion <i>Vacated</i>	
07/09/2010	 Motion <i>NEVADA MUTUAL INSURANCE CO MTN TO QUASH SUBPOENA</i>	<i>10C265107-10073.tif pages</i>

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07/12/2010	 Request <i>DEFTS REQUEST FOR DISCOVERY AND FOR DISCLOSURE OF ALL EXCULPATORY EVIDENCE AND INCORPORATED STATEMENT OF AUTHORITY EVIDENCE AND INCORPORATED STATEMENT OF AUTHORITY- RELATED PARTYID: 10C265107_0001</i>	10C265107-10074.tif pages
07/12/2010	 Order <i>DEFENDANT MATHAHS STIPULATION AND ORDER FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF HABEAS CORPUS FOR WRIT OF HABEAS CORPUS-RELATED PARTYID: 10C265107_0003</i>	10C265107-10075.tif pages
07/14/2010	 Response <i>DIPAK DESAIS RESPONSE TO STATES JUNE 16 2010 MOTION TO COMPEL DISCLOSURE OF MEDICAL PROVIDERS FOR THE TRANSFER TO DEPARTMENT FIVE FOR A COMPETENCY EVALUATION AND FOR AN ORDER FOR THE RELEASE OF MEDICAL RECORDS AND ORDER FOR INDEPENDENT MEDICAL EVALUATION MEDICAL PROVIDERS FOR THE TRANSFER TO DEPARTMENT FIVE FOR A COMPETENCY EVALUATION AND FOR AN ORDER FOR THE RELEASE OF MEDICAL RECORDS AND ORDER FOR INDEPENDENT MEDICAL EVALUATION- RELATED PARTYID: 10C265107_0001</i>	10C265107-10076.tif pages
07/19/2010	 Points and Authorities <i>NEVADA MUTUAL INSURANCE COMPANYS SUPPLEMENTAL POINTS AND AUTHORITIES IN SUPPORT OF ITS MOTION TO QUASH SUPPORT OF ITS MOTION TO QUASH- RELATED PARTYID: 10C265107_0001</i>	10C265107-10077.tif pages
07/21/2010	Motion (9:00 AM) Events: 06/22/2010 Motion <i>STATE'S MOTION TO COMPEL DISCLOSURE OF MEDICAL PROVIDERS, DEPT 5 FOR COMPETENCY</i>	
07/21/2010	Motion to Quash (9:00 AM) Events: 06/23/2010 Motion <i>DEFTS MTN TO QUASH GRAND JURY SUBPOENA & TO COMPEL D</i>	
07/21/2010	Motion to Quash (9:00 AM) Events: 07/09/2010 Motion <i>NEVADA MUTUAL INSURANCE CO MTN TO QUASH SUBPOENA</i>	
07/21/2010	 All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald) <i>ALL PENDING MOTIONS 7/21/10</i>	
07/21/2010	Motion <i>ALL PENDING MOTIONS 7/21/10</i>	10C265107-10078.tif pages
07/21/2010	Hearing <i>STATUS CHECK: COORDINATE COMPETENCY EXAM</i>	10C265107-10079.tif pages
07/29/2010	 Further Proceedings: Competency (9:30 AM) (Judicial Officer: Glass, Jackie) Events: 07/21/2010 Hearing	
08/12/2010	 Stipulation and Order Filed by: Defendant Desai, Dipak Kantilal <i>Stipulation and Order to Continue Production of Medical Records</i>	
09/16/2010		

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	 Further Proceedings: Competency (9:30 AM) (Judicial Officer: Glass, Jackie) 09/16/2010, 10/05/2010, 11/02/2010, 11/23/2010, 12/02/2010, 12/21/2010, 01/04/2011, 01/11/2011
09/20/2010	 Status Check (9:00 AM) (Judicial Officer: Mosley, Donald) <i>Writ & Motions</i>
12/20/2010	 Status Check (9:00 AM) (Judicial Officer: Mosley, Donald) 12/20/2010, 01/19/2011 <i>Medical Records</i>
01/03/2011	 Status Check (9:00 AM) (Judicial Officer: Mosley, Donald) <i>Discovery</i>
01/10/2011	 Reply Filed by: Defendant Desai, Dipak Kantilal <i>Reply to Return to Defendant Lakeman's Joinder to Petition for Writ of Habeas Corpus and Ex Parte Motion to Extend Time for Filing</i>
01/10/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada
01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Medical Records</i>
01/10/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada
01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Medical Records</i>
01/10/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada
01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Medical Records</i>
01/10/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada
01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Medical Records</i>
01/10/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada
01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Medical Records</i>

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01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Medical Records</i>
01/10/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada
01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion For Release of Medical Records</i>
01/10/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada
01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Medical Records</i>
01/10/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada
01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Medical Records</i>
01/10/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada
01/10/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Medical Records</i>
01/13/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Access to and Possible Seizure of Performance Evaluations and/or Related Documents</i>
01/13/2011	 Order Granting Filed By: Plaintiff State of Nevada <i>Order Granting Access to and Possible Seizure of Items to be Auctioned</i>
01/13/2011	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Access to and Possible Seizure of Items to be Auctioned</i>
01/19/2011	Status Check (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 06/11/2010 Hearing <i>Status Check: Discovery (All)</i>
01/19/2011	CANCELED Status Check (9:00 AM) <i>Vacated</i> <i>duplicate entry</i>
01/19/2011	Status Check (9:00 AM) (Judicial Officer: Mosley, Donald)

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Writ

01/19/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald)
02/04/2011	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
02/04/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada <i>Order Releasing Medical Records</i>
02/08/2011	 Further Proceedings: Competency (9:30 AM) (Judicial Officer: Glass, Jackie) <i>FURTHER PROCEEDINGS: COMPETENCY//STATUS CHECK: RECEIPT OF THE EVALUATIONS</i>
02/11/2011	 Joinder To Motion
02/14/2011	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Transcript of Proceedings Further Proceedings;Competency/Status Check:Receipt of the Evaluations - Heard February 8 2011</i>
02/16/2011	 Hearing (9:00 AM) (Judicial Officer: Mosley, Donald) <i>Setting Slip - Status Request for Status Check</i>
02/23/2011	CANCELED Status Check (9:00 AM) (Judicial Officer: Mosley, Donald) <i>Vacated</i>
02/23/2011	 Receipt of Copy
03/07/2011	 Calendar Call (9:00 AM) (Judicial Officer: Mosley, Donald) <i>(#1)</i>
03/07/2011	CANCELED Calendar Call (9:00 AM) <i>Vacated duplicate entry</i>
03/14/2011	CANCELED Jury Trial (1:30 PM) <i>Vacated reset</i>
03/14/2011	CANCELED Jury Trial (1:30 PM) <i>Vacated duplicate entry</i>
03/14/2011	 Order Filed By: Plaintiff State of Nevada <i>Order of Commitment</i>
03/17/2011	 Further Proceedings: Competency (9:30 AM) (Judicial Officer: Glass, Jackie) <i>FURTHER PROCEEDINGS: COMPETENCY//SURRENDER</i>
03/24/2011	 Media Request and Order <i>Media Request and Order for Camaera Access to Court Proceedings</i>

DEPARTMENT 21
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CASE NO. 10C265107-1

04/05/2011	 Ex Parte Motion <i>Ex Parte Motion For Release Of Medical Records</i>
04/05/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada <i>Order Releasing Medical Records</i>
04/05/2011	 Ex Parte Motion <i>Ex Parte Motion For Release Of Medical Records</i>
04/05/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada <i>Order Releasing Medical Records</i>
04/05/2011	 Ex Parte Motion <i>Ex Parte Motion For Release Of Medical Records</i>
04/05/2011	 Order to Release Medical Records Filed By: Plaintiff State of Nevada <i>Order Releasing Medical Records</i>
04/14/2011	 Reporters Transcript <i>Reporters Transcript Of Status Check: Discovery/Medical Records/Writ Defendant Lakeman's Joinder In Mathah's Petition For Writ Of Habeas Corpus - January 19, 2011</i>
04/14/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporters Transcript Of Defendant Lakeman's Joinder In Mathah's Petition For Writ Of Habeas Corpus Defendant Mathah's Motion In Relief From PreJudicial Joinder - Heard 01/20/2011</i>
05/04/2011	 Status Check (9:00 AM) (Judicial Officer: Mosley, Donald) 05/04/2011, 12/12/2011, 12/14/2011, 01/18/2012 <i>Discovery</i>
06/03/2011	 Receipt of Copy
06/09/2011	 Receipt of Copy Filed by: Plaintiff State of Nevada
06/15/2011	 Request (9:00 AM) (Judicial Officer: Mosley, Donald) 06/15/2011, 06/22/2011, 07/13/2011 <i>State's Request for Clarification of Civil Discovery</i>
09/29/2011	 Motion Filed By: Defendant Desai, Dipak Kantilal <i>Defendant's Motion and Notice of Motion for Competency Hearing and Discovery of Competency Evaluation Records</i>
09/29/2011	 Certificate of Service Filed by: Defendant Desai, Dipak Kantilal <i>Certificate of Service of Defendant's Motion and Notice of Motion for Competency Hearing and Discovery of Competency Evaluation Records</i>

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09/29/2011	 Order Filed By: Defendant Desai, Dipak Kantilal <i>Order to Release and Readmit to Bail</i>
10/11/2011	Motion (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Motion and Notice of Motion for Competency Hearing and Discovery of Competency Evaluation Records</i>
10/11/2011	Further Proceedings: Competency (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Notice of Calendar Addition/Change Dept XXV - Further Proceedings: Competency</i>
10/11/2011	 All Pending Motions (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
10/11/2011	 Order Filed By: Plaintiff State of Nevada <i>Order to Transport Defendant from Lakes Crossing</i>
11/09/2011	 Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i>
11/15/2011	 Further Proceedings: Competency (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Status Check: Receipt of All Reports/Set Hearing</i>
12/06/2011	 Memorandum Filed By: Defendant Desai, Dipak Kantilal <i>Defendant's Memorandum on Competency Standards and Hearing Procedures</i>
12/06/2011	 Opposition Filed By: Plaintiff State of Nevada <i>State's Brief To Preclude the Defense From Calling Its Own Witnesses at an NRS 178.460 Hearing</i>
12/13/2011	Further Proceedings: Competency (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Further Proceedings: Competency/Argument: Determine the Parameter's of the Hearing</i>
12/20/2011	 Reporters Transcript <i>Reporter's Transcript Of Proceedings November 15, 2011</i>
12/20/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporter's Transcript Of Proceedings December 13, 2011</i>
12/20/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporter's Transcript Of Proceedings October 11, 2011</i>
12/30/2011	 Petition Filed by: Defendant Desai, Dipak Kantilal <i>Petition to Stay Proceedings in District Court</i>
01/03/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Petition to Stay Proceedings in District Court</i>

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01/11/2012	 Minute Order (12:00 PM) (Judicial Officer: Delaney, Kathleen E.) <i>Minute Order re: Deft's Petition to Stay Proceedings filed December 30, 2011</i>
01/12/2012	 Receipt of Copy
01/27/2012	 Further Proceedings: Competency (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Further Proceedings: Competency/Hearing re: Challenge of Lakes Crossing Findings</i>
01/31/2012	 Brief Filed By: Plaintiff State of Nevada <i>Argument in Support of a Finding of Competency</i>
01/31/2012	 Document Filed <i>Dipak Desai's Post Competency Hearing Argument</i>
02/02/2012	 Decision <i>Finding of Competency</i>
02/06/2012	 Motion Filed By: Plaintiff State of Nevada <i>Notice of Motion and Motion to Take Depositions pursuant to NRS 174.175</i>
02/13/2012	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy</i>
02/22/2012	 Motion (9:00 AM) (Judicial Officer: Mosley, Donald) <i>Notice of Motion and Motion to Take Depositions pursuant to NRS 174.175</i>
02/23/2012	 Motion Filed By: Plaintiff State of Nevada <i>Notice of Motion and Motion to Take Depositions Pursuant to NRS 174.175</i>
02/28/2012	 Receipt of Copy
02/29/2012	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) <i>State's Motion as to Ms. Greskin</i>
02/29/2012	Motion (9:00 AM) (Judicial Officer: Mosley, Donald) Events: 02/23/2012 Motion <i>Notice of Motion and Motion to Take Depositions Pursuant to NRS 174.175</i>
02/29/2012	 All Pending Motions (9:00 AM) (Judicial Officer: Mosley, Donald)
03/02/2012	 Minute Order (3:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Assignment D.C. XXI</i>
03/05/2012	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Thompson, Charles) <i>Vacated - per Judge</i> <i>Per Chief Judge - Case Reassigned 3/2/12</i>
03/07/2012	 Findings of Fact, Conclusions of Law and Order

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Filed By: Plaintiff State of Nevada

03/08/2012	 At Request of Court (11:00 AM) (Judicial Officer: Adair, Valerie) <i>Discovery Status & Set Trial Date</i>
03/12/2012	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Mosley, Donald) <i>Vacated - Case Reassigned Per Chief Judge 3/2/12</i>
03/12/2012	 Notice of Entry of Decision and Order
03/13/2012	 Hearing (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Deposition</i>
03/20/2012	 Hearing (11:30 AM) (Judicial Officer: Adair, Valerie) <i>Video Deposition</i>
03/20/2012	 Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i>
03/23/2012	 Motion to Take Video Deposition (10:30 AM) (Judicial Officer: Adair, Valerie)
03/30/2012	 Petition for Writ of Habeas Corpus Filed by: Defendant Desai, Dipak Kantilal
03/30/2012	 Memorandum Filed By: Defendant Desai, Dipak Kantilal <i>Memorandum In Support of Petition For Writ of Habeas Corpus and Alternative Motion to Dismiss Indictment</i>
04/02/2012	 Order Filed By: Defendant Desai, Dipak Kantilal <i>Order to Issue Writ of Habeas Corpus</i>
04/04/2012	 Certificate of Service Filed by: Defendant Desai, Dipak Kantilal
04/13/2012	 Return <i>Return to Writ of Habeas Corpus</i>
04/17/2012	CANCELED Petition for Writ of Habeas Corpus (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - Set in Error</i>
04/23/2012	 Status Check (11:00 AM) (Judicial Officer: Adair, Valerie)
04/24/2012	CANCELED Status Check (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - On in Error</i>
05/04/2012	 Reply Filed by: Defendant Desai, Dipak Kantilal <i>Defendant's Reply to State's Return to Writ of Habeas Corpus</i>
05/10/2012	 Petition for Writ of Habeas Corpus (10:30 AM) (Judicial Officer: Adair, Valerie)

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05/16/2012	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>Transcript of Proceedings Defendant's Petition for Writ of Habeas Corpus Defendant's Joinder to Petition for Writ of Habeas Corpus and Alternative Motion to Dismiss Indictment May 10, 2012</i>
05/22/2012	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Motion to Dismiss & Defendant's Pre-Trial Writ of Habeas Corpus</i>
06/11/2012	 Status Check (9:30 AM) (Judicial Officer: Adair, Valerie)
06/15/2012	 Notice of Entry of Order
06/27/2012	 Petition <i>Petition to Stay Proceedings in District Court</i>
07/12/2012	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Health Records</i>
07/12/2012	 Order Filed By: Plaintiff State of Nevada <i>Order Releasing Health Records</i>
07/26/2012	 Certificate of Service Filed by: Plaintiff State of Nevada <i>Certificate of Service</i>
07/26/2012	 Motion to Vacate Filed By: Plaintiff State of Nevada <i>Southern Nevada Health District's Motion to Vacate Ex Parte Order for Release of Health Records</i>
08/02/2012	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy</i>
08/02/2012	 Declaration Filed By: Defendant Desai, Dipak Kantilal <i>Declaration of Attempted Service</i>
08/06/2012	 Opposition to Motion Filed By: Defendant Desai, Dipak Kantilal <i>State's Opposition To Southern Nevada Health District's Motion to Vacate Ex Parte Order for Release of Health Records</i>
08/07/2012	 Motion to Vacate (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Motion to Vacate Ex Parte Order for Release of Health Records</i>
08/24/2012	 Order Denying Filed By: Defendant Desai, Dipak Kantilal <i>Order Denying Petition to Stay Proceedings in District Court</i>

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08/27/2012	 Reply Filed by: Other Nevada Mutual Insurance Co <i>Reply in Support of Motion to Vacate Ex Parte Order for Release of Health Records</i>
08/28/2012	 Status Check (9:30 AM) (Judicial Officer: Adair, Valerie) 08/28/2012, 08/30/2012 <i>Resolution/Health District and State</i>
09/05/2012	 Decision (3:00 AM) (Judicial Officer: Adair, Valerie) <i>Decision: So. NV Health District's Motion To Vacate ExParte Order For Release Of Health Records</i>
09/24/2012	 Motion to Continue Trial Filed By: Defendant Desai, Dipak Kantilal <i>Defendant Desai's Motion To Continue Trial</i>
09/24/2012	 Motion to Consolidate Filed By: Defendant Desai, Dipak Kantilal <i>Defendant Desai's Motion to Consolidate Related Cases</i>
09/28/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Consolidate</i>
09/28/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Continue Trial</i>
10/02/2012	Status Check (9:30 AM) (Judicial Officer: Adair, Valerie) 10/02/2012, 10/04/2012 <i>Discovery/Trial Readiness.</i>
10/02/2012	Motion to Continue Trial (9:30 AM) (Judicial Officer: Adair, Valerie) 10/02/2012, 10/04/2012 <i>Defendant Desai's Motion to Continue Trial</i>
10/02/2012	Motion to Consolidate (9:30 AM) (Judicial Officer: Adair, Valerie) 10/02/2012, 10/04/2012 <i>Motion to Consolidate C265107 and C283381</i>
10/02/2012	All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
10/04/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
10/18/2012	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
10/22/2012	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - On In Error</i>
10/22/2012	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - On in Error</i>
10/22/2012	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>

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10/29/2012	 Petition <i>Petition for WRit of Habeas Corpus</i>
10/30/2012	 Memorandum <i>Defendant Desai's Memorandum in Support of Petition for Writ of Habeas Corpus and Alternative Motion to Dismiss Murder Indictment</i>
10/30/2012	 Memorandum <i>Defendant Desai's Memorandum in Support of Petition for Writ of Habeas Corpus and Alternative Motion to Dismiss Murder Indictment</i>
11/01/2012	 Status Check (9:30 AM) (Judicial Officer: Adair, Valerie) 11/01/2012, 03/07/2013 <i>Status Check: Experts</i>
11/05/2012	 Writ <i>Writ of Habeas Corpus</i>
11/05/2012	 Certificate of Service <i>Certificate of Service of Petition of Writ of Habeas Corpus, Order to Issue Writ of Habeas Corpus, Writ of Habeas Corpus and Defendant Desai's Memorandum in Support of Petition for Writ of Habeas Corpus and Alternative Motion to Dismiss Murder Indictment</i>
11/05/2012	 Order Filed By: Defendant Desai, Dipak Kantilal <i>Order to Issue Writ of Habeas Corpus</i>
11/13/2012	 Petition for Writ of Habeas Corpus (9:30 AM) (Judicial Officer: Adair, Valerie) 11/13/2012, 12/11/2012 <i>All Pending Motions</i>
11/20/2012	 Return <i>Return To Writ Of Habeas Corpus</i>
12/05/2012	 Reply <i>Defendant Desai's Reply to State's Return to Writ of Habeas Corpus Regarding the Murder Indictment</i>
12/07/2012	 Amended Indictment Party: Plaintiff State of Nevada <i>Second Amended Indictment</i>
12/11/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
12/19/2012	 Decision (3:00 PM) (Judicial Officer: Adair, Valerie)
12/21/2012	 Motion <i>Defendant Desai's Motion and Notice of Motion for Competency Evaluation</i>
01/08/2013	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Petition for Writ of Habeas Corpus</i>

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01/08/2013	Motion (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Defendant Desai's Motion and Notice of Motion for Competency Evaluation</i>
01/08/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie) <i>1/8/2013</i>
01/11/2013	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Hearing Re: Defendant's Petition for Writ of Habeas Corpus (Desai) (Both) Defendant Keith Mathahs' Petition for Writ of Habeas Corpus or in the Alternative, Motion to Dismiss Indictment (Both), Defendant Ronald Lakeman's Petition and Joinder, Tuesday, December 11, 2012</i>
01/11/2013	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Hearing Re: Defendant Desai's Motion for Competency Evaluation, Status Check: Experts/Trial Readiness (All), Tuesday, January 8, 2013</i>
01/14/2013	 Order Filed By: Plaintiff State of Nevada <i>Order for Transcript</i>
02/12/2013	 Request (9:30 AM) (Judicial Officer: Adair, Valerie) <i>State's Req: File 3rd Amd Indictment</i>
02/12/2013	Disposition (Judicial Officer: Adair, Valerie) 10. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped
02/12/2013	 Amended Indictment <i>Third Amended Indictment</i>
02/20/2013	 Amended Indictment Party: Plaintiff State of Nevada <i>Fourth Amended Indictment</i>
02/20/2013	Disposition (Judicial Officer: Adair, Valerie) 1. AS USED IN NRS 207.360-207.520, INCLUSVE, UNLESS CONTEXT OTHRWISE REQUIR Charges Amended/Dropped 1. "CRIME RELATED TO RACKETERRING" MEANS THE COMMISSION OF ATTEMPT TO Charges Amended/Dropped 1. "CRIMINAL SYNDICATE" MEANS ANY COMBINATION OF PERSONS, SO STRUCTURED Charges Amended/Dropped 1. "ENTERPRISE" INCLUDES ANY NATRAL PRSN, SOLE PRPRIETRSH, PRTRNSHP, CORP Charges Amended/Dropped 1. RACKETEERING ACTIVITY MEANS ENGAGING IN AT LEAST 2 CRIMES RELATED TO Charges Amended/Dropped
02/20/2013	Disposition (Judicial Officer: Adair, Valerie) 4. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped
02/20/2013	Disposition (Judicial Officer: Adair, Valerie)

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	8. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped
02/20/2013	Disposition (Judicial Officer: Adair, Valerie) 11. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped
02/20/2013	Disposition (Judicial Officer: Adair, Valerie) 14. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped 17. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped 18. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped 20. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped 21. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped 23. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped 24. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped 26. THEFT-PENALTIES Charges Amended/Dropped 27. IT SHALL BE NO DEFENSE TO A PROSECUTION FOR LARCENY THAT THE ACCUSED WAS Charges Amended/Dropped 28. IT SHALL BE NO DEFENSE TO A PROSECUTION FOR LARCENY THAT THE ACCUSED WAS Charges Amended/Dropped
02/20/2013	Disposition (Judicial Officer: Adair, Valerie) 13. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped
02/20/2013	Disposition (Judicial Officer: Adair, Valerie) 28. OBTAINING MONEY UNDER FALSE PRETENSES Charges Amended/Dropped
02/20/2013	Disposition (Judicial Officer: Adair, Valerie) 7. SUBSTANTIAL BODILY HARM. Charges Amended/Dropped
02/22/2013	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>Notice of Expert Witnesses</i>
02/25/2013	 Motion in Limine Filed By: Plaintiff State of Nevada <i>State's Motion in Limine for a Pretrial Determination of the Authentication and Admission of Certified Records Pertaining to Rodolfo Meana Obtained from the Philippines</i>
02/26/2013	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>Notice of Witnesses</i>
03/07/2013	 Motion <i>Notice Of Motion And Motion To Use Reported Testimony</i>

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03/11/2013	 Order Filed By: Plaintiff State of Nevada <i>Order for Transcript</i>
03/11/2013	 Opposition to Motion <i>Defendant Desai's Opposition to State's Motion to Admit Foreign Documents Relating to Rodolfo Meana</i>
03/12/2013	 Motion in Limine (9:30 AM) (Judicial Officer: Adair, Valerie) <i>State's Motion in Limine for a Pretrial Determination of the Authentication and Admission of Certified Records Pertaining to Rodolfo Meana Obtained from the Philippines</i>
03/13/2013	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy</i>
03/13/2013	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Hearing Re: Hearing: Video Deposition, Tuesday, March 20, 2012</i>
03/13/2013	 Order Filed By: Plaintiff State of Nevada
03/21/2013	 Decision (0:00 AM) (Judicial Officer: Adair, Valerie)
03/25/2013	 Opposition <i>Defendant Desai's Opposition to State's Motion to Use Reported Testimony</i>
03/26/2013	 Motion (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Notice Of Motion And Motion To Use Reported Testimony</i>
04/01/2013	 Supplemental Witness List Filed by: Plaintiff State of Nevada <i>Supplemental Notice of Expert Witnesses</i>
04/01/2013	 Motion to Admit Evidence Filed By: Plaintiff State of Nevada <i>Notice of Motion and Motion to Admit Evidence of Other Crimes</i>
04/02/2013	 Notice Filed By: Plaintiff State of Nevada <i>Notice of Exhibit For State's Supplemental Notice of Expert Witnesses</i>
04/03/2013	 Notice of Expert Witnesses Filed By: Defendant Desai, Dipak Kantilal
04/15/2013	 Supplemental Witness List Filed by: Plaintiff State of Nevada <i>Supplemental Notice of Witnesses</i>
04/15/2013	 Opposition to Motion <i>Defendant Desai's Opposition to State's Motion to Admit Prior Bad Acts</i>

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04/16/2013	 Supplemental Witness List Filed by: Plaintiff State of Nevada <i>Second Supplemental Notice of Witnesses</i>
04/16/2013	Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
04/16/2013	Motion to Admit Evidence (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Notice of Motion and State's Motion to Admit Evidence of Other Crimes</i>
04/16/2013	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
04/17/2013	 Reporters Transcript <i>Calendar Call (ALL), State's Motion to Admit Evidence of Other Crimes, Tuesday, April 16, 2013</i>
04/18/2013	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>
04/19/2013	 Reporters Transcript <i>Transcript Re: Status Check: Experts (All) Thursday, March 7, 2013</i>
04/22/2013	 Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie)
04/23/2013	 Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie)
04/24/2013	 Request Filed by: Plaintiff State of Nevada <i>Request for Attendance of Out-of-State Witness Anne Yost</i>
04/24/2013	 Certificate for Attendance of Out-Of-State Witness Filed By: Plaintiff State of Nevada <i>Certificate for Attendance of Out-Of-State Witness Anne Yost</i>
04/24/2013	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request and Order for Camera Access to Court Proceedings</i>
04/25/2013	 Order Filed By: Plaintiff State of Nevada <i>Order for Payment of Witness Fees</i>
04/26/2013	 Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie)
04/29/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
04/30/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/01/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/03/2013	 Jury Trial (10:00 AM) (Judicial Officer: Adair, Valerie)
05/03/2013	

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	 Motion <i>Defendant Desai's Supplement to Motion for Additional Peremptory Challenges</i>
05/06/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/06/2013	 Amended Indictment <i>Fifth Amended Indictment</i>
05/06/2013	 Jury List
05/07/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/08/2013	 Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie)
05/08/2013	 Amended Jury List
05/09/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/10/2013	 Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie)
05/13/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/14/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/15/2013	 Jury Trial (12:30 PM) (Judicial Officer: Adair, Valerie)
05/16/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/17/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/20/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/21/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/22/2013	 Jury Trial (0:30 AM) (Judicial Officer: Adair, Valerie)
05/23/2013	 Jury Trial (10:30 AM) (Judicial Officer: Adair, Valerie)
05/24/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
05/28/2013	CANCELED Petrocelli Hearing (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
05/28/2013	 Jury Trial (12:30 PM) (Judicial Officer: Adair, Valerie)
05/29/2013	 Petrocelli Hearing (9:00 AM) (Judicial Officer: Adair, Valerie) 05/29/2013, 06/06/2013
05/29/2013	

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	 Jury Trial (12:30 PM) (Judicial Officer: Adair, Valerie)
05/30/2013	 Jury Trial (9:45 AM) (Judicial Officer: Adair, Valerie)
05/31/2013	 Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie)
06/03/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/03/2013	 Reporters Transcript <i>Excerpt of Jury Trial - Day 12 Testimony of Keith Mathahs, Friday, May 10, 2013</i>
06/04/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/05/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/06/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/06/2013	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
06/07/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/10/2013	 Reporters Transcript <i>Excerpt of Jury Trial - Day 13, Continued Testimony of Keith Mathahs, Hearing Monday, May 13, 2013</i>
06/10/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/11/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/12/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/13/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/13/2013	 Order Filed By: Plaintiff State of Nevada <i>Order Releasing Records</i>
06/13/2013	 Order Filed By: Plaintiff State of Nevada <i>Order Releasing Records</i>
06/13/2013	 Order Filed By: Plaintiff State of Nevada <i>Order Releasing Records</i>
06/13/2013	 Order Filed By: Plaintiff State of Nevada <i>Order Releasing Records</i>
06/13/2013	

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	 Order Filed By: Plaintiff State of Nevada <i>Order Releasing Records</i>
06/14/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/17/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/18/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/19/2013	 Jury Trial (10:30 AM) (Judicial Officer: Adair, Valerie)
06/20/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/20/2013	 Minute Order (11:00 AM) (Judicial Officer: Adair, Valerie)
06/21/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/24/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/25/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/26/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/26/2013	 Proposed Jury Instructions Not Used At Trial
06/27/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
06/27/2013	 Amended Jury List <i>Second Amended Jury List</i>
06/27/2013	 Jury Instructions <i>Defendant Desai's Proposed Special Jury Instructions</i>
06/28/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
07/01/2013	 Jury Trial (9:00 AM) (Judicial Officer: Adair, Valerie)
07/01/2013	 Jury Verdict
07/01/2013	 Jury Instructions
09/05/2013	 Sentencing (9:30 AM) (Judicial Officer: Adair, Valerie) 09/05/2013, 10/24/2013
10/11/2013	 PSI
10/11/2013	 PSI - Victim Impact Statements

DEPARTMENT 21
CASE SUMMARY
CASE NO. 10C265107-1

10/22/2013	 Memorandum <i>Defendant's Sentencing Memorandum</i>
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 1. INSURANCE FRAUD Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 1. INSURANCE FRAUD Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 34 Months
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 2. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 2. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 48 Months Concurrent: Charge 1
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 3. CRIMINAL NEGLECT OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 3. CRIMINAL NEGLECT OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 24 Months, Maximum: 60 Months Concurrent: Charge 2
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 5. INSURANCE FRAUD Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 5. INSURANCE FRAUD Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 34 Months Concurrent: Charge 3
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 6. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 6. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 48 Months Concurrent: Charge 5

DEPARTMENT 21
CASE SUMMARY
CASE No. 10C265107-1

10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 7. CRIMINAL NEGLECT OF PATIENTS RESULTING IN SUBSTANTIAL BODILY HARM Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 7. CRIMINAL NEGLECT OF PATIENTS RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Consecutive: Charge 6
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 8. INSURANCE FRAUD Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 8. INSURANCE FRAUD Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:34 Months Concurrent: Charge 7
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 9. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OF PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 9. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OF PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:48 Months Concurrent: Charge 8
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 10. CRIMINAL NEGLECT OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 10. CRIMINAL NEGLECT OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Consecutive: Charge 9
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 11. INSURANCE FRAUD Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 11. INSURANCE FRAUD Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:34 Months Concurrent: Charge 10
10/24/2013	Disposition (Judicial Officer: Adair, Valerie)

DEPARTMENT 21
CASE SUMMARY
CASE No. 10C265107-1

	12. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 12. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:48 Months Concurrent: Charge 11
10/24/2013	Disposition (Judicial Officer: Adair, Valerie) 13. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Guilty 14. INSURANCE FRAUD Guilty 15. INSURANCE FRAUD Guilty 16. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Guilty 17. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Guilty 18. INSURANCE FRAUD Guilty 19. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Guilty 20. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Guilty 21. INSURANCE FRAUD Guilty 22. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Guilty 23. CRIMINAL NEGLIGENCE OF PATIENTS, RESULTING IN SUBSTANTIAL BODILY HARM Guilty 24. INSURANCE FRAUD Guilty 26. OBTAINING MONEY UNDER FALSE PRETENSES Guilty 27. OBTAINING MONEY UNDER FALSE PRETENSES Guilty 28. MURDER, SECOND DEGREE Guilty
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 17. CRIMINAL NEGLIGENCE OF PATIENT RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:60 Months Concurrent: Charge 16
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 14. INSURANCE FRAUD Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:34 Months Concurrent: Charge 13

DEPARTMENT 21
CASE SUMMARY
CASE No. 10C265107-1

10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 15. INSURANCE FRAUD Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 34 Months Concurrent: Charge 14
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 18. INSURANCE FRAUD Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 34 Months Concurrent: Charge 17
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 21. INSURANCE FRAUD Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 34 Months Concurrent: Charge 20
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 24. INSURANCE FRAUD Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 34 Months Concurrent: Charge 23
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 22. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 48 Months Concurrent: Charge 20
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 19. PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 12 Months, Maximum: 48 Months Concurrent: Charge 17
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 23. CRIMINAL NEGLIGENCE OF PATIENTS, RESULTING IN SUBSTANTIAL BODILY HARM Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Minimum: 24 Months, Maximum: 60 Months Consecutive: Charge 21
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 27. OBTAINING MONEY UNDER FALSE PRETENSES Adult Adjudication Sentenced to CCTC Term: 6 Months Concurrent: Case Number with other counts
10/24/2013	Sentence (Judicial Officer: Adair, Valerie) 28. MURDER, SECOND DEGREE Adult Adjudication

CASE SUMMARY**CASE NO. 10C265107-1**

Sentenced to Nevada Dept. of Corrections
 Term: Life with the possibility of parole after: 10 Years
 Consecutive: Charge 24
 Credit for Time Served: 319 Days
 Comments: COUNT 28 - MINIMUM of ONE HUNDRED TWENTY (120)
 MONTHS and a MAXIMUM of LIFE, CONSECUTIVE to Count 24 (NDC)

Fee Totals:

ADMINISTRATIV	
ASSESSMENT	
FEE --- Crim fee	25.00
sch	
DNA ANALYSIS	
FEE --- Crim fee	150.00
sch - \$150	
Fee Totals \$	175.00

10/24/2013 **Sentence** (Judicial Officer: Adair, Valerie)
 16. PERMORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR
 PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM
 Adult Adjudication
 Sentenced to Nevada Dept. of Corrections
 Term: Minimum: 12 Months, Maximum: 48 Months
 Concurrent: Charge 15

10/24/2013 **Sentence** (Judicial Officer: Adair, Valerie)
 20. CRIMINAL NEGLECT OF PATIENT RESULTING IN SUBSTANTIAL BODILY
 HARM
 Adult Adjudication
 Sentenced to Nevada Dept. of Corrections
 Term: Minimum: 24 Months, Maximum: 60 Months
 Concurrent: Charge 18

10/24/2013 **Disposition** (Judicial Officer: Adair, Valerie)
 25. THEFT
 Guilty

10/24/2013 **Sentence** (Judicial Officer: Adair, Valerie)
 25. THEFT
 Adult Adjudication
 Sentenced to CCDC
 Term: 6 Months
 Concurrent: Case Number with other counts

10/24/2013 **Sentence** (Judicial Officer: Adair, Valerie)
 26. OBTAINING MONEY UNDER FALSE PRETENSES
 Adult Adjudication
 Sentenced to CCDC
 Term: 6 Months
 Concurrent: Case Number with other cases

10/31/2013  Criminal Order to Statistically Close Case
Criminal Order To Statistically Close Case

11/13/2013  Judgment of Conviction
 Party: Plaintiff State of Nevada
JUDGMENT OF CONVICTION (JURY TRIAL)

11/14/2013 **Sentence** (Judicial Officer: Adair, Valerie)
 13. CRIMINAL NEGLECT OF PATIENT RESULTING IN SUBSTANTIAL BODILY
 HARM
 Adult Adjudication
 Sentenced to Nevada Dept. of Corrections

DEPARTMENT 21
CASE SUMMARY
CASE NO. 10C265107-1

Term: Minimum:24 Months, Maximum:60 Months
Concurrent: Charge 12

11/21/2013

 Amended Judgment of Conviction
Filed By: Plaintiff State of Nevada
AMENDED JUDGMENT OF CONVICTION (JURY TRIAL)

12/06/2013

 Notice of Appeal (criminal)
Notice of Appeal

DATE

FINANCIAL INFORMATION

Defendant Desai, Dipak Kantilal

Total Charges

2,908.00

Total Payments and Credits

2,733.00

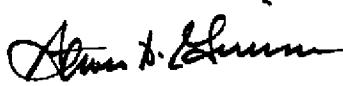
Balance Due as of 12/10/2013

175.00

No Convert Value @ 10C265107

CASH BAIL -- Criminal Registry Balance as of 12/10/2013

0.00


CLERK OF THE COURT

JOC

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DIPAK KANTILAL DESAI
#1240942

Defendant.

CASE NO. C265107-1

DEPT. NO. XXI

JUDGMENT OF CONVICTION
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNTS 1, 4, 5, 8, 11, 14, 15, 18, 21, and 24 – INSURANCE FRAUD (Category D Felony), in violation of NRS 686A.2815; COUNTS 2, 6, 9, 12, 16, 19, and 22 – PERFORMANCE OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN SUBSTANTIAL BODILY HARM (Category C Felony), in violation of NRS 0.060, 202.595; COUNTS 3, 7, 10, 13, 17, 20, and 23 – CRIMINAL NEGLECT OF PATIENTS RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony), in violation of NRS 0.060, 200.495; COUNT 25 – THEFT (Category B Felony), in violation of NRS 205.0832, 205.0835; COUNTS 26 and 27 – OBTAINING MONEY UNDER FALSE PRETENSES (Category B Felony), in violation of NRS 205.265, 205.380; and COUNT

1 28 – MURDER (SECOND DEGREE) (Category A Felony), in violation of NRS 200.010,
2 200.020, 200.030, 200.070, 202.595, 200.495; and the matter having been tried before
3 a jury and the Defendant having been found guilty of the crimes of COUNTS 1, 5, 8,
4 11, 14, 15, 18, 21, and 24 – INSURANCE FRAUD (Category D Felony), in violation of
5 NRS 686A.2815; COUNTS 2, 6, 9, 12, 16, 19, and 22 – PERFORMANCE OF ACT IN
6 RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN
7 SUBSTANTIAL BODILY HARM (Category C Felony), in violation of NRS 0.060,
8 202.595; COUNTS 3, 7, 10, 13, 17, 20, and 23 – CRIMINAL NEGLECT OF PATIENTS
9 RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony), in violation of
10 NRS 0.060, 200.495; COUNT 25 – THEFT UNDER \$250.00 (Misdemeanor); COUNTS
11 26 and 27 – OBTAINING MONEY UNDER FALSE PRETENSES UNDER \$250.00
12 (Misdemeanor); and COUNT 28 – MURDER (SECOND DEGREE) (Category A
13 Felony), in violation of NRS 200.010, 200.020, 200.030, 200.070, 202.595, 200.495;
14 thereafter, on the 24TH day of October, 2013, the Defendant was present in court for
15 sentencing with his counsels, RICHARD WRIGHT, ESQ., and MARGARET STANISH,
16 ESQ., and good cause appearing,

17
18 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in
19 addition to the \$25.00 Administrative Assessment Fee, and \$150.00 DNA Analysis Fee
20 including testing to determine genetic markers, the Defendant is SENTENCED as
21 follows: AS TO COUNT 1 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a
22 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of
23 Corrections (NDC); AS TO COUNT 2 - TO A MAXIMUM of FORTY-EIGHT (48)
24 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada
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1 Department of Corrections (NDC), COUNT 2 to run CONCURRENT with COUNT 1; AS
2 TO COUNT 3 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole
3 Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections
4 (NDC), COUNT 3 to run CONCURRENT with COUNT 2; AS TO COUNT 5 - TO A
5 MAXIMUM of THIRTY-FOUR (34) MONTHS with a MINIMUM Parole Eligibility of
6 TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), COUNT 5 to
7 run CONCURRENT with COUNT 3; AS TO COUNT 6 – TO A MAXIMUM of FORTY-
8 EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in
9 the Nevada Department of Corrections (NDC), COUNT 6 to run CONCURRENT with
10 COUNT 5; AS TO COUNT 7 - TO A MAXIMUM of SIXTY (60) MONTHS with a
11 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada
12 Department of Corrections (NDC), COUNT 7 to run CONSECUTIVE to COUNT 6; AS
13 TO COUNT 8 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a MINIMUM
14 Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of Corrections
15 (NDC), COUNT 8 to run CONCURRENT with COUNT 7; AS TO COUNT 9 - TO A
16 MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of
17 TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), COUNT 9 to
18 run CONCURRENT with COUNT 8; AS TO COUNT 10 - TO A MAXIMUM of SIXTY
19 (60) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS in
20 the Nevada Department of Corrections (NDC), COUNT 10 to run CONSECUTIVE to
21 COUNT 9; AS TO COUNT 11 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with
22 a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of
23 Corrections (NDC), COUNT 11 to run CONCURRENT with COUNT 10; AS TO
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1 COUNT 12 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM
2 Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of Corrections
3 (NDC), COUNT 12 to run CONCURRENT with COUNT 11; AS TO COUNT 13 - TO A
4 MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of TWENTY-
5 FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), COUNT 13 to
6 run CONCURRENT with COUNT 12; AS TO COUNT 14 - TO A MAXIMUM of THIRTY-
7 FOUR (34) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in
8 the Nevada Department of Corrections (NDC), COUNT 14 to run CONCURRENT with
9 COUNT 13; AS TO COUNT 15 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS
10 with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada
11 Department of Corrections (NDC), COUNT 15 to run CONCURRENT with COUNT 14;
12 AS TO COUNT 16 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a
13 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of
14 Corrections (NDC), COUNT 16 to run CONCURRENT with COUNT 15; AS TO COUNT
15 17 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of
16 TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC),
17 COUNT 17 to run CONCURRENT with COUNT 16; AS TO COUNT 18 - TO A
18 MAXIMUM of THIRTY-FOUR (34) MONTHS with a MINIMUM Parole Eligibility of
19 TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), COUNT 18
20 to run CONCURRENT with COUNT 17; AS TO COUNT 19 - TO A MAXIMUM of
21 FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12)
22 MONTHS in the Nevada Department of Corrections (NDC), COUNT 19 to run
23 CONCURRENT with COUNT 17; AS TO COUNT 20 - TO A MAXIMUM of SIXTY (60)

1 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS in the
2 Nevada Department of Corrections (NDC), COUNT 20 to run CONCURRENT with
3 COUNT 18; AS TO COUNT 21 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS
4 with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada
5 Department of Corrections (NDC), COUNT 21 to run CONCURRENT with COUNT 21;
6 AS TO COUNT 22 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a
7 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of
8 Corrections (NDC), COUNT 22 to run CONCURRENT with COUNT 20; AS TO COUNT
9 23 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of
10 TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC),
11 COUNT 23 to run CONSECUTIVE to COUNT 21; AS TO COUNT 24 - TO A
12 MAXIMUM of THIRTY-FOUR (34) MONTHS with a MINIMUM Parole Eligibility of
13 TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), COUNT 24
14 to run CONCURRENT with COUNT 23; AS TO COUNT 25 – SIX (6) MONTHS in the
15 Clark County Detention Center (CCDC), COUNT 25 to run CONCURRENT with other
16 Counts; and AS TO COUNT 26 – SIX (6) MONTHS in the Clark County Detention
17 Center (CCDC); COUNT 26 to run CONCURRENT with other Counts; AS TO COUNT
18 27 - SIX (6) MONTHS in the Clark County Detention Center (CCDC); COUNT 27 to run
19 CONCURRENT with other Counts; and AS TO COUNT 28 – LIFE with a MINIMUM
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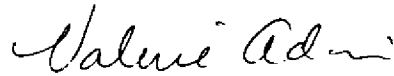
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1 Parole Eligibility of ONE HUNDRED TWENTY (120) MONTHS in the Nevada
2 Department of Corrections (NDC), COUNT 28 to run CONSECUTIVE to COUNT 24;
3 with THREE HUNDRED NINETEEN (319) DAYS Credit for Time Served.
4

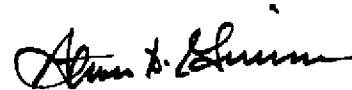
5 FURTHER, COUNT 4 is OMITTED.
6

7 DATED this 8 day of November, 2013
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VALERIE ADAIR
11 DISTRICT JUDGE
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CLERK OF THE COURT

1 AJOC

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3 DISTRICT COURT
4 CLARK COUNTY, NEVADA
5

6 THE STATE OF NEVADA,

7 Plaintiff,

CASE NO. C265107-1

8
9 -vs-

DEPT. NO. XXI

10 DIPAK KANTILAL DESAI
11 #1240942

12 Defendant.

13 AMENDED JUDGMENT OF CONVICTION
14 (JURY TRIAL)
15

16 The Defendant previously entered a plea of not guilty to the crimes of COUNTS
17 1, 4, 5, 8, 11, 14, 15, 18, 21, and 24 – INSURANCE FRAUD (Category D Felony), in
18 violation of NRS 686A.2815; COUNTS 2, 6, 9, 12, 16, 19, and 22 – PERFORMANCE
19 OF ACT IN RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN
20 SUBSTANTIAL BODILY HARM (Category C Felony), in violation of NRS 0.060,
21 202.595; COUNTS 3, 7, 10, 13, 17, 20, and 23 – CRIMINAL NEGLECT OF PATIENTS
22 RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony), in violation of
23 NRS 0.060, 200.495; COUNT 25 – THEFT (Category B Felony), in violation of NRS
24 205.0832, 205.0835; COUNTS 26 and 27 – OBTAINING MONEY UNDER FALSE
25 PRETENSES (Category B Felony), in violation of NRS 205.265, 205.380; and COUNT
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1 28 – MURDER (SECOND DEGREE) (Category A Felony), in violation of NRS 200.010,
2 200.020, 200.030, 200.070, 202.595, 200.495; and the matter having been tried before
3 a jury and the Defendant having been found guilty of the crimes of COUNTS 1, 5, 8,
4 11, 14, 15, 18, 21, and 24 – INSURANCE FRAUD (Category D Felony), in violation of
5 NRS 686A.2815; COUNTS 2, 6, 9, 12, 16, 19, and 22 – PERFORMANCE OF ACT IN
6 RECKLESS DISREGARD OF PERSONS OR PROPERTY RESULTING IN
7 SUBSTANTIAL BODILY HARM (Category C Felony), in violation of NRS 0.060,
8 202.595; COUNTS 3, 7, 10, 13, 17, 20, and 23 – CRIMINAL NEGLECT OF PATIENTS
9 RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony), in violation of
10 NRS 0.060, 200.495; COUNT 25 – THEFT UNDER \$250.00 (Misdemeanor); COUNTS
11 26 and 27 – OBTAINING MONEY UNDER FALSE PRETENSES UNDER \$250.00
12 (Misdemeanor); and COUNT 28 – MURDER (SECOND DEGREE) (Category A
13 Felony), in violation of NRS 200.010, 200.020, 200.030, 200.070, 202.595, 200.495;
14 thereafter, on the 24TH day of October, 2013, the Defendant was present in court for
15 sentencing with his counsels, RICHARD WRIGHT, ESQ., and MARGARET STANISH,
16 ESQ., and good cause appearing,
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19

20 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in
21 addition to the \$25.00 Administrative Assessment Fee, and \$150.00 DNA Analysis Fee
22 including testing to determine genetic markers, the Defendant is SENTENCED as
23 follows: AS TO COUNT 1 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a
24 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of
25 Corrections (NDC); AS TO COUNT 2 - TO A MAXIMUM of FORTY-EIGHT (48)
26 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada
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1 Department of Corrections (NDC), COUNT 2 to run CONCURRENT with COUNT 1; AS
2 TO COUNT 3 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole
3 Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections
4 (NDC), COUNT 3 to run CONCURRENT with COUNT 2; AS TO COUNT 5 - TO A
5 MAXIMUM of THIRTY-FOUR (34) MONTHS with a MINIMUM Parole Eligibility of
6 TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), COUNT 5 to
7 run CONCURRENT with COUNT 3; AS TO COUNT 6 – TO A MAXIMUM of FORTY-
8 EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in
9 the Nevada Department of Corrections (NDC), COUNT 6 to run CONCURRENT with
10 COUNT 5; AS TO COUNT 7 - TO A MAXIMUM of SIXTY (60) MONTHS with a
11 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS in the Nevada
12 Department of Corrections (NDC), COUNT 7 to run CONSECUTIVE to COUNT 6; AS
13 TO COUNT 8 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with a MINIMUM
14 Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of Corrections
15 (NDC), COUNT 8 to run CONCURRENT with COUNT 7; AS TO COUNT 9 - TO A
16 MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of
17 TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), COUNT 9 to
18 run CONCURRENT with COUNT 8; AS TO COUNT 10 - TO A MAXIMUM of SIXTY
19 (60) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS in
20 the Nevada Department of Corrections (NDC), COUNT 10 to run CONSECUTIVE to
21 COUNT 9; AS TO COUNT 11 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS with
22 a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of
23 Corrections (NDC), COUNT 11 to run CONCURRENT with COUNT 10; AS TO
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1 COUNT 12 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM
2 Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of Corrections
3 (NDC), COUNT 12 to run CONCURRENT with COUNT 11; AS TO COUNT 13 - TO A
4 MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of TWENTY-
5 FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), COUNT 13 to
6 run CONCURRENT with COUNT 12; AS TO COUNT 14 - TO A MAXIMUM of THIRTY-
7 FOUR (34) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in
8 the Nevada Department of Corrections (NDC), COUNT 14 to run CONCURRENT with
9 COUNT 13; AS TO COUNT 15 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS
10 with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada
11 Department of Corrections (NDC), COUNT 15 to run CONCURRENT with COUNT 14;
12 AS TO COUNT 16 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a
13 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of
14 Corrections (NDC), COUNT 16 to run CONCURRENT with COUNT 15; AS TO COUNT
15 17 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of
16 TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC),
17 COUNT 17 to run CONCURRENT with COUNT 16; AS TO COUNT 18 - TO A
18 MAXIMUM of THIRTY-FOUR (34) MONTHS with a MINIMUM Parole Eligibility of
19 TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), COUNT 18
20 to run CONCURRENT with COUNT 17; AS TO COUNT 19 - TO A MAXIMUM of
21 FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12)
22 MONTHS in the Nevada Department of Corrections (NDC), COUNT 19 to run
23 CONCURRENT with COUNT 17; AS TO COUNT 20 - TO A MAXIMUM of SIXTY (60)
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1 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS in the
2 Nevada Department of Corrections (NDC), COUNT 20 to run CONCURRENT with
3 COUNT 18; AS TO COUNT 21 - TO A MAXIMUM of THIRTY-FOUR (34) MONTHS
4 with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada
5 Department of Corrections (NDC), COUNT 21 to run CONCURRENT with COUNT 21;
6 AS TO COUNT 22 - TO A MAXIMUM of FORTY-EIGHT (48) MONTHS with a
7 MINIMUM Parole Eligibility of TWELVE (12) MONTHS in the Nevada Department of
8 Corrections (NDC), COUNT 22 to run CONCURRENT with COUNT 20; AS TO COUNT
9 23 - TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of
10 TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC),
11 COUNT 23 to run CONSECUTIVE to COUNT 21; AS TO COUNT 24 - TO A
12 MAXIMUM of THIRTY-FOUR (34) MONTHS with a MINIMUM Parole Eligibility of
13 TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC), COUNT 24
14 to run CONCURRENT with COUNT 23; AS TO COUNT 25 – SIX (6) MONTHS in the
15 Clark County Detention Center (CCDC), COUNT 25 to run CONCURRENT with other
16 Counts; and AS TO COUNT 26 – SIX (6) MONTHS in the Clark County Detention
17 Center (CCDC); COUNT 26 to run CONCURRENT with other Counts; AS TO COUNT
18 27 - SIX (6) MONTHS in the Clark County Detention Center (CCDC); COUNT 27 to run
19 CONCURRENT with other Counts; and AS TO COUNT 28 – LIFE with a MINIMUM
20 Parole Eligibility of ONE HUNDRED TWENTY (120) MONTHS in the Nevada
21 Department of Corrections (NDC), COUNT 28 to run CONSECUTIVE to COUNT 24;
22 with THREE HUNDRED NINETEEN (319) DAYS Credit for Time Served.
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27 FURTHER, COUNT 4 is OMITTED.
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THEREAFTER, on the 18th day of November, 2013, pursuant to COURTS REVIEW, sentence is amended as follows: COUNT 21 to run CONCURRENT with Count 20.

DATED this 18th day of November, 2013

Valerie Adair
VALERIE ADAIR
DISTRICT JUDGE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 04, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

June 04, 2010**11:45 AM****Grand Jury Indictment**

**GRAND JURY
INDICTMENT
Heard By: ELISSA
CADISH**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Stanish, Margaret M.

Attorney

Staudaher, Michael V.

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Tina Hurd, Court Clerk. Joseph Willoughby, Assistant Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury case number 09BGJ049A-C to the Court. COURT ORDERED, the Indictment may be filed and is assigned case number C265107, Department 14. Terry Coffing, Esq., present on behalf of the Southern Nevada Health District (SNHD) and advised exhibits 45-48 are transcripts that are currently sealed pursuant to SNHD's Writ application that is still pending before the Supreme Court in case 53676. Mr. Coffing requested they remain under seal until resolution of that matter. Mr. Staudaher advised exhibits 45-48 are volumes of the deposition of one witness who actually testified before the Grand Jury. Court advised she will agree to seal those exhibits pending the outcome of the Supreme Court proceedings. Order signed in open court. Mr. Staudaher requested warrants for all three Defts. and argued bail. Because of the nature of Deft. Desai's asset situation, Mr. Staudaher requested Deft. be remanded and held without bail until such time his assets can be determined and appropriate bail set. There are asset pools into the \$30 million range reported though Deft. Desai had bragged he has over \$100

million available to him. Mr. Staudaher requested Deft. Desai surrender his passport also and argued Deft. is a flight risk. As to Defts. Lakeman and Mathahs, Mr. Staudaher advised they are not so similarly situated and requested \$1 million bail as to these Defts. Mr. Wright advised he has represented Dr. Desai since February 2008 and advised Deft. has been available this entire time. Mr. Wright advised he has Deft. Desai's passport and can produce it if requested. This Indictment was no secret and Deft. could have fled if he wished. Mr. Wright argued all of Deft. Desai's assets are tied up in the Chapter 11 bankruptcy and advised there are motions pending to convert it to a Chapter 7. Mrs. Desai is present and is also a physician. Mr. Wright advised all the trusts are in bankruptcy also and there is not nearly the amount suggested. Much of the assets were in real estate. As to danger to the community, Mr. Wright advised Deft. Desai is no longer practicing and has surrendered his medical license and he does not see Deft. as a danger to the community. Mr. Wright further advised Deft. Desai is currently incapacitated physically and mentally as he had a severe stroke in July 2008 which has affected his cognitive ability and had a mini-stroke in September 2009. Mrs. Desai is his guardian and has a durable power of attorney. Mr. Wright advised he is extremely concerned about the State's request Deft. Desai be taken into custody. Mr. Staudaher advised, if the Court is inclined to set bail, he would request \$10 million and surrender of Deft. Desai's passport. Mr. Staudaher advised the State does not adopt Mr. Wright's representation of Deft. Desai's health status and advised a TIA is not a mini-stroke. Further arguments by counsel. Court stated there were no criminal charges before and there are now including Racketeering. The actual pendency of those charges creates some risk of flight. Court noted there is a substantial amount of assets Deft. Desai potentially has access to of his own or through friends, family or associates, however, the Court does not believe incarceration without bail is appropriate. COURT ORDERED, ARREST WARRANT WILL ISSUE, BAIL SET AT \$1 MILLION, cash or surety, as to Deft. Desai and Deft. must surrender his passport. Mr. Wright requested time to petition the bankruptcy court for funds to post bail though he believes their answer will be no and requested a period of time to post bail and Deft. not be arrested. Mr. Staudaher requested a source hearing for the bail posting prior to any release from custody. COURT ORDERED, prior to posting bail, the source of same is to be demonstrated to Mr. Staudaher or his designee and, if there are questions, the State can contact the Court immediately. Mr. Staudaher advised he has agreed to allow Deft. Desai to self-surrender at noon today and go to the jail to be booked and advised he has genuine concerns about Deft. Desai fleeing the jurisdiction. Mr. Wright requested Deft. be given time to raise bail before being booked. Further arguments by counsel. COURT ORDERED, Deft. Desai to self-surrender today and will be released on house arrest until Monday at which time Deft. will have to post bail by 5:00 p.m., Monday, June 7, or he will be placed in custody. As to Defts. Lakeman and Mathahs, Mr. Staudaher advised they were certified nurse anesthetists that actually performed these acts and stated he believes they are flight risks also. These Defts. were directly involved in the transfer of the infectious agents and the State does not currently know their location or who their counsel is. COURT ORDERED, ARREST WARRANTS WILL ISSUE, BAIL SET AT \$500,000.00, cash or surety, as to Defts. Lakeman and Mathahs. Exhibit(s) 1-64 lodged with Clerk of District Court. Matter set for initial arraignment as to Deft. Desai only. MATTER RECALLED. Tia Everett, Court Clerk, present. Margaret Stanish, present on behalf of Defendant Desai and Michael Staudaher, present on behalf of State with counsel appearing via conference call. Ms. Stanish informed the Court there is an issue whether or not the Court will allow the Defendant to be walked through the Clark County Detention Center (CCDC) to expedite the

Defendant's processing into the system. Further, Ms. Stanish advised she has spoken with Detective Whitely, who is present in her office at this time, and he has advised without an order from the Court which orders Defendant's processing to be expedited processing will take anywhere from 4-8 hours and the House Arrest department closes for the day at 5 or 6 PM tonight. Mr. Staudaher stated his only request is that Defendant be processed into the system, whatever that process may be, and he remain in custody until he has completed all necessary items to be released on House Arrest.

Colloquy. Court stated it was her intention that there be an expedited processing for the Defendant and then he be released and placed on House Arrest. COURT ORDERED, Defendant's processing to be expedited in order for him to be released on House Arrest TODAY 6/4/10 if at all possible.

WARRANT (H.A. - DESAI)...WARRANT (NIC - LAKEMAN & MATHAHS)

6-9-10 9:00 AM INITIAL ARRAIGNMENT (DEPT. 14 - DESAI)

CLERK'S NOTE: 2:15 p.m.--Passport of Dipak Desai surrendered to Court Clerk Tina Hurd.

Passport marked as Court's exhibit #1 and lodged in the evidence vault of the District Court Clerk's Office. th

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 09, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

June 09, 2010**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 6/9/10
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT: Staudaher, Michael V. Attorney

JOURNAL ENTRIES

- INITIAL ARRAIGNMENT (DESAI)...BENCH WARRANT RETURN (DESAI)...DEFT'S MOTION TO RECALL ARREST WARRANT AND MOTION FOR OWN RECOGNIZANCE RELEASE OR TO REDUCE BAIL (MATHAHS)

Mr. Buchanan advised that he filed the motion, however, Mr. Cristalli has since been retained. Mr. Cristalli concurred. Mr. Buchanan advised that he had contacted the District Attorney's Office to request to be notified of the Markum Notice as he and Defendant wanted to appear in front of the Grand Jury. Mr. Buchanan stated the Indictment came down last Friday and he was not noticed until after the hearing. Defendant then went to the Clark County Detention Center to Intake Services and filled out the paperwork. Mr. Buchanan requested that reasonable bail be set. Mr. Cristalli stated Defendant was not avoiding being arrested, he went to his son's home in California for a few days and noted that bail could have been argued at the Indictment had Mr. Buchanan been notified. Mr. Staudaher admitted that he did not contact Mr. Buchanan and stated he did not know if Mr.

Buchanan's father was counsel prior to his passing. That Defendant did go to Intake Services, however, when Metro went out that afternoon to the addresses he had listed, he was not there and could not be reached at the phone numbers either. Mr. Staudaher stated Defendant went to California to avoid being arrested. Arguments by Mr. Cristalli. Mr. Buchanan stated the bail was set at \$500,000. Mr. Cristalli requested the bail be reduced to \$100,000. Upon Court's inquiry, Mr. Staudaher advised the 3rd Defendant has been arrested and waived extradition, so he will be returned to this Jurisdiction very soon. Continued arguments by Mr. Cristalli for the release of Defendant. Court advised this matter will be continued to Friday for review with the Desai matter as Mr. Wright is out of the jurisdiction today. Mr. Cristalli requested Defendant be released to appear out of custody on Friday or be placed on house arrest. Court DENIED request. Mr. Staudaher advised he will be filing an Amended Indictment as there are some typos in the original. COURT ORDERED, matter CONTINUED.

B.W. (H.A.)(DESAI)...CUSTODY (MATHAHS)

...CONTINUED 6/11/10 9:00 AM

6/11/10 9:00 AM INITIAL ARRAIGNMENT (MATHAHS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 11, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

June 11, 2010**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 6/11/10
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:****COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	Staudaher, Michael V.	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- INITIAL ARRAIGNMENT (DESAI & MATHAHS)...INDICTMENT WARRANT RETURN (DESAI & MATHAHS)...DEFT'S MOTION TO RECALL ARREST WARRANT AND MOTION FOR OWN RECOGNIZANCE RELEASE OR TO REDUCE BAIL (MATHAHS)

Upon Court's inquiry, Mr. Staudaher advised he felt the trial would take at least 5 weeks. FURTHER, Amended Indictment FILED IN OPEN COURT as there were some typos.

DEFT DESAI and DEFT MATHAHS ARRAIGNED AND PLED NOT GUILTY. COURT ORDERED, matter set for trial in accordance with above. BENCH WARRANTS QUASHED.

AS TO DEFT MATHAHS' MOTION: Court advised he has reviewed the file and motion and that all Defendants are equally charged and equally culpable for these offenses. Mr. Saggese argued Defendant has tried to do the right thing, that he went to Intake Services when he was directed to and

was then later arrested. Mr. Saggese requested an own recognizance release or a bail reduction so that Defendant can help in his defense, that he has no intention to flee. Mr. Staudaher advised that he feels there is a huge risk of flight based on the charges and the possible sentence Defendant is facing. Following additional arguments by counsel, COURT ORDERED, Motion is DENIED without prejudice.

Mr. Staudaher advised he has provided initial discovery to Mr. Saggese and Mr. Wright and they have each signed a Receipt of Copy that has been FILED IN OPEN COURT; that there is approximately 8,000 pages that have all be Bate stamped that also include the Grand Jury exhibits. Mr. Staudaher stated due to the volume of evidence, he has offered to help counsel gain access to the vault, Metro and his file whenever they need to. Court so noted.

Mr. Staudaher stated his concerns as to Deft Desai's medical condition and would like to obtain copies of his medical records; that if there are issues as to his capability to help in his defense, it should be addressed as soon as possible. Mr. Wright advised that he will be filing motions as to competency in the near future, that there may be an issue with Deft Desai's ability to assist due to the cognitive aspect. Mr. Wright advised Deft Desai had a stroke in July 2008. Colloquy as to the matter being referred to Dept. 5. Mr. Staudaher inquired if Court would consider an Ex Parte Motion for Medical Records. Objections stated by Mr. Wright including that the State has already received some medical records that would violate HIPA and he is trying to find out where they came from and who obtained them. Court stated a written motion would be necessary and added that he would be disappointed if this case was tried in the media rather than the Courtroom.

Mr. Staudaher advised there might be an issue as to Deft Desai's bail as they are looking into where the funds came from. Court advised Mr. Saggese can renew the Motion for Bail Reduction at a later date if he wishes. COURT ORDERED, matter set for trial with priority and a status check.

BAIL (H.A.)(DESAI)...CUSTODY (MATHAHS)

1/19/11 9:00 AM STATUS CHECK: DISCOVERY (ALL)

3/7/11 9:00 AM CALENDAR CALL (#1)(ALL)

3/14/11 1:30 PM JURY TRIAL (#1)(ALL)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 14, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

June 14, 2010**9:00 AM**

**Motion for Own
Recognizance
Release/Setting Reasonable
Bail**

**O.R. RELEASE/BAIL
REDUCTION Court
Clerk: Linda
Skinner/Is Relief
Clerk: Karina
Kennedy
Reporter/Recorder:
Renee Silvaggio
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT: Staudaher, Michael V. Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Staudaher advised Defendant is en route, however, there is no way to know when he will arrive. Mr. Santacrocce confirmed bail setting is at \$500,000. Following colloquy, COURT ORDERED, matter set for status check in 10 days.

...CONTINUED 6/23/10 9:00 AM

6/23/10 9:00 AM STATUS CHECK: DEFENDANT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 23, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

June 23, 2010**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 6/23/10
Court Clerk: Linda
Skinner/ls Relief
Clerk: Karina
Kennedy
Reporter/Recorder:
Marcia Leonard
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:****COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:** Staudaher, Michael V. Attorney**JOURNAL ENTRIES**

- DEFT'S MOTION FOR OWN RECOGNIZANCE RELEASE OR IN THE ALTERNATIVE FOR BAIL REDUCTION...STATUS CHECK: DEFENDANT...INDICTMENT WARRANT RETURN

Mr. Santacroce advised Defendant has posted bail and will WITHDRAW the Motion. COURT SO ORDERED. DEFENDANT LAKEMAN ARRAIGNED, PLED NOT GUILTY AND WAIVED THE SIXTY (60) DAY RULE. COURT ORDERED, matter set for trial to coincide with co-defendants. Mr. Santacroce requested 21 days from the filing of the Grand Jury Transcript to file a Writ. COURT SO ORDERED. Mr. Staudaher advised he has provided discovery to Mr. Santacroce and if he wants to review the file or anything in the vault, will help him accomplish this. Court so noted.

BOND

1/19/11 9:00 AM STATUS CHECK: DISCOVERY

10C265107-1

3/7/11 9:00 AM CALENDAR CALL (#1)

3/14/11 1:30 PM JURY TRIAL (#1)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 21, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

July 21, 2010**9:00 AM****All Pending Motions****ALL PENDING
MOTIONS 7/21/10****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- (1) STATE'S MOTION TO COMPEL DISCLOSURE OF MEDICAL PROVIDERS, FOR TRANSFER TO DEPARTMENT FIVE FOR A COMPETENCY EVALUATION AND FOR AN ORDER FOR THE RELEASE OF MEDICAL RECORDS AND ORDER FOR AN INDEPENDENT MEDICAL EVALUATION...(2) DEFT'S MOTION TO QUASH GRAND JURY SUBPONEA AND TO COMPEL DISCLOSURE OF ANY OTHER ABUSE OF GRAND JURY PROCESS...(3) NEVADA MUTUAL INSURANCE COMPANY'S MOTION TO QUASH SUBPONEA

AS TO #3: Mr. Bailus appeared on behalf of Nevada Mutual Insurance, advised he has spoken with Mr. Staudaher and requested this be taken OFF CALENDAR. COURT SO ORDERED.

AS TO #2: Mr. Wright advised this has already been removed and requested it be taken OFF CALENDAR. COURT SO ORDERED.

AS TO #1: Mr. Wright advised there is an issue of Dr. Desai's competency and stated he does not oppose giving the medical records to the Dept. 5 team for their evaluation, however, he does object to giving them to the State as some medical information was "leaked" to the press. Arguments by Mr.

Staudaher including that there have been several hearings set for Dr. Desai to testify, however, due to his mental/physical condition, he has been unable to do so. Mr. Staudaher stated he would like to find out if Dr. Desai is malingering and would like to see the records of his condition. Colloquy as to independent physical examination. Mr. Wright had no objection. COURT ORDERED, matter REFERRED to Dept. 5 next week. Mr. Staudaher stated he would like a doctor to verify Dr. Desai's condition and would like some input as to what doctor is selected. Mr. Wright advised he had no objection as long as it was controlled by the Court. Court requested Judge Glass coordinate both physical and mental examinations. COURT ORDERED, Motion held in ABEYANCE until there has been a decision from Dept. 5.

Mr. Staudaher requested that Dr. Desai be present for all hearings to show his stature to the Court. Mr. Wright advised he usually does not have Defendants come to Court for motions.

FURTHER, any outstanding bench warrant is QUASHED.

H.A.

7/29/10 9:30 AM STATUS CHECK: COORDINATE COMPETENCY EXAM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 29, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

July 29, 2010**9:30 AM****Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Sandra Jeter**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Winckler, Karen C.	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Defendant DESAI present out of custody on bail/house arrest.

Both counsel have records they would like to provide to the evaluating doctors. Mr. Wright will obtain the information from UCLA regarding the stroke that happened after the incidents alleged in the Indictment and the MRIs/records from the prior stroke here as well as the evaluation by the Board of Medical Examiners. Mr. Staudaher requests all records regarding any rehabilitative efforts, further treatment or subsequent events since the time of the stroke as well anything related to any prior medical conditions that could contribute or affect defendant's competency or ability to aide and assist counsel. COURT SO ORDERED. FURTHER, counsel are to forward all records to the Court who will then provide them to Ms. Greene who will in turn provide them to the evaluating doctors. Matter SET for STATUS CHECK in two (2) weeks.

Judge Mosley has requested this Court oversee an independent medical evaluation (IME) to review

possible medical conditions that could affect competency which Mr. Staudaher believes is three-part: 1) a neuroradiologist (MRI/radiological review), 2) a neurologist to review the prior and recent stroke and then subsequent fainting spells, transit ischemic attack, and 3) a cardiologist. Mr. Wright has no objection to the IME. Court NOTED it will have the competency evaluation done first and, depending on what is found, there could be further litigation on the issue. Mr. Staudaher requested the competency evaluators not have any connection with Dr. Desai noting malingering is a huge issue and the COURT SO ORDERED. Ms. Greene is DIRECTED to inquire of the doctors to make sure they have no relationship and/or connection with the defendant.

Mr. Staudaher requested defendant be present at all hearings because of the issues raised regarding defendant's ability to aide and assist. Mr. Wright objects to the State's request as it pertains to status checks. COURT ORDERED, defendant's presence is WAIVED at the next date.

BAIL/HOUSE ARREST

CONTINUED TO: 8/12/10 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 16, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

September 16, 2010 9:30 AM**Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Sandra Jeter**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES**

PRESENT:	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Defendant DESAI not present, out of custody on bail/house arrest and his PRESENCE IS WAIVED this date.

Mr. Wright lodged indexed binders with the Court and State advising they contain 98% of the records requested including images of the MRI's/films. Further, Mr. Wright advised he should have the rest of the records within the next two to four weeks. The Court stated it is not waiting any longer and will provide the information to Ms. Greene who will then forward it to the evaluating doctors which Ms. Greene will make sure have had no association with the defendant whatsoever. FURTHER, Mr. Wright to provide Ms. Greene with the defendant's contact information today.

Mr. Staudaher acknowledged receipt of the information, however, noted he still needs records relative to any rehabilitative services/therapy/treatment subsequent to defendant's second stroke. Further, Mr. Staudaher requests the name of defendant's disability carrier and whether defendant applied for disability benefits and/or was evaluated by the carrier. If so, Mr. Staudaher requests a copy of the evaluation. Further, if defendant applied for benefits but was rejected, the State wants to

know that as well and Mr. Staudaher would like to wait until all requested information is received prior to beginning the competency evaluation process. Mr. Wright does not have an answer today but will get the information. Colloquy. COURT ORDERED, Mr. Wright to obtain all information requested by the State including any speech, occupational/work-related rehabilitative efforts that defendant did since his second stroke as well as the information regarding defendant's disability benefits. Once this information is provided to the Court and State, it will be turned over to Ms. Greene who will then provide it to the evaluating doctors. Matter CONTINUED.

BAIL/H.A.

CONTINUED TO: 10/5/10 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 20, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

September 20, 2010**9:00 AM****Status Check****Status Check: Writ &
Motions****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Karina Kennedy**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Mr. Wright advised a Writ has not been filed as Deft is in Lakes Crossing. He further advised he has not received a report of competency and would like to extend or suspend proceedings. Arguments between counsel regarding the Writ being not being filed in a timely manner. Mr. Staudaher stated he is not sure if there should be a competency hearing. The Court NOTED it agreed this matter should not be extended indefinitely and the case could go on without knowing what Deft's status is. Colloquy regarding counsel not having all of Deft's medical records. Mr. Wright advised he is having trouble getting all of the records. Arguments regarding the State having 325 pages of records from UCLA to which Mr. Wright stated this was the first time he is hearing about these records. The Court NOTED it will contact Judge Glass to confer with her about Deft's status. Mr. Wright stated he needed the Depositions from the Grand Jury. COURT ORDERED, matter CONTINUED for Status Check on records.

11.24.10 9:00 A.M. STATUS CHECK: DEFT'S MEDICAL RECORDS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 05, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

October 05, 2010**9:30 AM****Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Sandra Jeter**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaheer, Michael V.

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Defendant DESAI not present, out of custody on bail/house arrest and his presence is WAIVED this date.

In open court, Mr. Wright lodged additional records with the State as well as two copies with the Court advising he expects more records today. Further, the UCLA records have already been provided to Ms. Greene and one evaluation is scheduled for Wednesday afternoon. Additionally, Mr. Wright advised Dr. Desai has no disability insurance now; defendant has made no disability claims with any government agencies, therefore, no evaluations were done and Mr. Wright will ask the defendant if he had any before. The Court directed Mr. Wright to inquire of the defendant if he has ever had a disability policy in place to which Mr. Wright responded that he would instruct the defendant to invoke his Fifth Amendment Right noting his client does not presently have any insurance. Colloquy. Court NOTED Mr. Wright has indicated that at the time defendant did not have a disability policy and, as far as any past disability coverage, the Court is not going there as it anticipates the issue will continue to be litigated in the originating Court. COURT ORDERED, matter CONTINUED two (2) weeks. Mr. Wright to have the additional records hand-delivered to the State and the Court today and Ms. Greene to notify the doctors that more records are forthcoming.

10C265107-1

BAIL/H.A.

CONTINUED TO: 10/19/10 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 02, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

November 02, 2010 9:30 AM**Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Sandra Jeter**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Defendant DESAI present out of custody on bail/house arrest. Defendant's wife also present.

Court NOTED it required the defendant's presence at today's hearing because questions arose from the doctors doing the evaluations through Christina Greene. One of the doctors asked if Mrs. Desai was her husband's guardian because she was signing all of the documents. Additionally, Mrs. Desai told Dr. Bradley that Dr. Roitman is defendant's treating psychiatrist and the Court seeks clarification of whether the doctor treated the defendant beyond June 2009. Mr. Wright confirmed Mrs. Desai was made the defendant's guardian and there has been no continuing treatment with Dr. Roitman beyond June 2009. The Court NOTED additional records were provided to Ms. Greene yesterday. Mr. Wright concurred and advised he provided the records from Summerlin Hospital to the State and Ms. Greene today, however, Mr. Staudaher has not personally received them as of yet. The fifth submission by the defense was records from the Heart Center of Nevada and Mr. Staudaher provided the UCLA records which Mr. Wright believes should complete all of the records. However, Mr. Staudaher still seeks specific records that he believes are germane to the process and that were

referenced in the records from UCLA regarding any rehabilitative/therapy/treatment efforts, both cognitive and language. Further, there was a speech and language evaluation by the Speech Therapy Center Of Excellence and he requests those records as well as records from the speech/language pathologist, any home therapy and radiology records. Colloquy. The Court FINDS the records outlined by Mr. Staudaher are relevant and ORDERED, Mr. Wright to obtain all of the records requested that are not included in the UCLA records. FURTHER, Mr. Wright to contact Dr. Roitman and verify defendant's status. The COURT FURTHER NOTED both doctors have seen the defendant so the reports should be forthcoming. Matter CONTINUED; defendant's PRESENCE WAIVED at the next date.

BAIL/H.A.

CONTINUED TO: 11/23/10 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 23, 2010

10C265107-1

The State of Nevada vs Dipak K Desai

November 23, 2010 9:30 AM

**Further Proceedings:
Competency**

HEARD BY: Glass, Jackie

COURTROOM: RJC Courtroom 15A

COURT CLERK: Sandra Jeter; Billie Jo Craig

RECORDER: Rachelle Hamilton

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Deputy District Attorney Staudaher present for the State. Mr. Wright present for Defendant. Defendant not present. Christina Green also present.

Defendant's PRESENCE WAIVED today. Colloquy regarding records received and missing. Upon inquiry of the Court, Mr. Wright advised he should receive the remainder of the records in 7 to 10 days from 11/17/10. Upon inquiry of the Court, Ms. Green advised all the reports could be to the Court within one week. COURT ORDERED, matter CONTINUED. Defendant's appearance WAIVED at the next Court date.

BAIL (H.A.)

CONTINUED TO: 12/2/10 9:30 AM

bjc

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 02, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

December 02, 2010 9:30 AM**Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Sandra Jeter; Teri Braegelmann**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES**

PRESENT:	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Defendant DESAI not present, out of custody on bail/house arrest and his PRESENCE is WAIVED this date.

The Court stated it is hopeful this will be the final status check on the evaluations. Upon the Court's inquiry, Ms. Stanish advised there have not been anymore records submitted to Ms. Greene since the last date. Further, Ms. Mandlebaum's office has contacted UCLA specifically regarding the rehabilitation records and they are producing same, however, they are awaiting invoicing and mailing. Colloquy. COURT ORDERED, matter CONTINUED. FURTHER, Ms. Greene to e-mail the Court once she receives the records.

BAIL/H.A.

CONTINUED TO: 12/21/10 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 20, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

December 20, 2010 9:00 AM Status Check**HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES**

PRESENT:	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney

JOURNAL ENTRIES

- Mr. Staudaher stated he thought this was on for status on the writ; he advised the time to file a writ has come and gone, that the 15 day rule expired long ago. Ms. Stanish stated that the competency issue in Dept. 5, stays the writ in this Court. Mr. Staudaher advised that the last time in Court, the Court advised it would address the writ issue today. Upon Court's inquiry as to medical records, counsel advised it is on tomorrow in Dept. 5 for the final medical records. Court noted as to the writ, if the writ requires participation on the Defendant's part, then there is something to talk about; if it is on the record, then Defendant is not needed. Following colloquy, COURT ORDERED, matter CONTINUED to the status check set on 1/19. Following statements by Mr. Santacroce as to discovery, COURT ORDERED an earlier additional status check date to be set and Mr. Wright is to be present as well as Mr. Santacroce and Mr. Cristalli.

... CONTINUED 1/19/11 9:00 AM

1/3/11 9:00 AM STATUS CHECK: DISCOVERY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 21, 2010**

10C265107-1

The State of Nevada vs Dipak K Desai

December 21, 2010**9:30 AM****Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Defendant DESAI not present, out of custody on bail/house arrest and his PRESENCE is WAIVED this date.

Mr. Wright advised the Court that Ms. Mandelbaum's office received the invoice from UCLA via fax yesterday and a check was sent by Fed Ex. Upon Court's inquiry, Mr. Staudaher stated the records relate to the deft's therapeutic intervention that was done and occupational therapy. Colloquy between Court and counsel regarding the length of time it will take UCLA to produce the records. COURT ORDERED, matter CONTINUED and if the records are received, counsel is to forward them to Ms. Greene and Ms. Greene will then forward them tot he doctor's as well as inform the Court.

BAIL (H.A.)

1/04/11 9:30 AM FURTHER PROCEEDINGS: COMPETENCY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 03, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

January 03, 2011**9:00 AM****Status Check****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Wright advised the issue of competency is still in Dept. 5, that as soon as they receive the final reports they should be able to make a decision as to his competency. Mr. Staudaher advised this matter was put on because Mr. Santacroce believed he had not been provided discovery from the Grand Jury. Mr. Staudaher stated that caused him some concern, so he checked and found a receipt signed by Mr. Santacroce for 14,000 pages last June which included the items presented to the Grand Jury. Mr. Staudaher explained that there have been 3 reviews at Metro and that not all 3 attorneys have attended any of them and the one Mr. Santacroce attended, he only stayed 2 hours. Mr. Staudaher advised he has provided the bulk of evidence to counsel and that he will be using most of it; that from the reviews, the amount of items that they wanted copied was very minimal. Mr. Wright concurred that the has received all relevant discovery, that the State has a lot of discovery that is not relevant and he has not had any issues in reviewing the material. Mr. Flummerfelt advised they have had no issues as well. Court stated it is concerned as Mr. Santacroce is the one that said he was having trouble reviewing the material, that this date was set specifically for him and it is 9:40 a.m. and he is still not here. COURT ORDERED, MR. SANTACROCE HELD IN CRIMINAL CONTEMPT AND TO PAY A FINE OF \$100.

Further, Court advised it would contact Judge Glass to check on the status of Mr. Desai.

BAIL/H.A.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 04, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

January 04, 2011**9:30 AM****Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES****PRESENT:**

Stanish, Margaret M.

Attorney

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

JOURNAL ENTRIES

- Ms. Stanish advised the Court informed by Ms. Mandelbaum's office that UCLA mailed the records by certified mail on December 29, 2010 and contacted Ms. Mandelbaum's office and they said they still haven't received it any day. Court stated and once they receive the documents, a copy will be provided to Ms. Greene and Ms. Greene will provide them to the doctor's and the District Attorney's office. COURT ORDERED, matter CONTINUED and if the records are received, then will be able to provide a final date for when the doctor's report will be prepared.

BAIL (H.A.)**1/11/11 9:30 AM FURTHER PROCEEDINGS: COMPETENCY**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 11, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

January 11, 2011**9:30 AM****Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Court stated the last batch of records did not have what parties were looking for. Mr. Wright stated that he went through the records and they were basically the same records everyone has, so there is nothing new but there are some concerns based on specific references in some off the records provided by counsel which referred to visits at the speech pathologist clinic that didn't have records for. Mr. Wright stated that he actually contacted UCLA and spoke with the person who produced the records for counsel and found out what the situation was; first, the records produced are those available on-line; I asked specifically about October, 2008 visit and this person said that it might be in the chart and will order the chart and review it. Mr. Wright further stated that he does not think there is a lot more that will obtain from them; further, asked this person about the last visit in April, 2009 there was a recommendation at the end for the deft. to continue with some therapy and to undergo weekly sessions for a few months and according to UCLA, the deft. never followed up with that so there will not be any records related to that so as far as UCLA and related to the deft's treatment, all the records have been received except for the one. Upon Court's inquiry, Ms. Greene stated that she has received all of the records and they have been turned over to the doctor's and the doctor's are requesting to see the deft. again. COURT ORDERED, matter CONTINUED for a status check for receipt of the evaluations and the Deft. is to meet with the doctor's again.

10C265107-1

BAIL (H.A.)

2/08/11 9:30 AM FURTHER PROCEEDINGS: COMPETENCY/STATUS CHECK; RECEIPT OF
EVALUATIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 19, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

January 19, 2011**9:00 AM****All Pending Motions****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES**- STATUS CHECK: DISCOVERY...STATUS CHECK: MEDICAL RECORDS...STATUS CHECK: WRIT**

Upon Court's inquiry, Mr. Wright advised there are no discovery issues, that all medical records have been presented to the evaluators and there should be a decision out of Dept. 5 in early February as to Deft Desai's competency. As to the writ, Mr. Wright advised there are no time constraints at this juncture and it will be based on Defendant's condition. COURT ORDERED, all matters RESOLVED as to this Deft.

BAIL/H.A.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 08, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

February 08, 2011**9:30 AM****Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Conference at the Bench. Court stated it had a discussion with counsel regarding procedural matters; the reports came back finding the deft. not competent and in cases where the deft. is found not competent, the deft's are sent to Lakes Crossing in Reno, NV for restoration under NRS 178.425, therefore, the deft. has to be remanded as that is the only way for the deft. to be admitted to Lakes Crossing since there is no mental facility in Clark County. Court further stated that there are people who are severely mentally ill that are on the waiting list and the deft. will be sent to Lakes Crossing in the order the deft. is placed in as this Court will not bump anyone out of order. Court has checked with the jail and the next available transport date is in March, 2011, therefore, the deft. will have to surrender to the Court to be remanded, to have medical testing and a clearance done prior to admission. COURT ORDERED, matter CONTINUED for the deft. to surrender himself; FURTHER ORDERED, deft. is not to travel outside of Clark County. Court stated it will send all documentation

that has been gathered and will have it transmitted to Lakes Crossing; deft. will remain in Lakes Crossing until a determination is made that either the deft. is competent and returned or not competent without probability and at that time parties will receive notice and either side can challenge the findings, depending on the findings. Upon Court's inquiry, Mr. Wright stated that he believes the deft's passport has been surrendered. Court Clerk advised the Court that the passport has been surrendered and is being held in the Vault.

BAIL (H.A.)

3/17/11 9:30 AM FURTHER PROCEEDINGS: COMPETENCY/SURRENDER

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 16, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

February 16, 2011**9:00 AM****Hearing****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Renee Silvaggio**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, all counsel requested to waive their respective Defendants presence. COURT SO ORDERED. Court noted that Deft Desai will not be able to go to trial on 3/14 as he is in Lakes Crossing. Mr. Wright concurred. Court advised it would like to proceed with the other Defendants. Upon inquiry, Mr. Santacroce advised he was ready. Mr. Cristalli stated several times that there is still an abundance of discovery that needs to be reviewed and does not see how they can be ready by 3/14. Court admonished Mr. Cristalli that he will need to be ready for trial. Following colloquy, COURT ORDERED, matter set for status check as to discovery next week.

CUSTODY (LAKES CROSSING)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 07, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

March 07, 2011**9:00 AM****Calendar Call****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Robert Cangemi**PARTIES****PRESENT:**

Stanish, Margaret M.

Attorney

State of Nevada

Plaintiff

Staudaheer, Michael V.

Attorney

Weckerly, Pamela C

Attorney

JOURNAL ENTRIES

- Court noted this matter was discussed in chambers approximately 2 weeks ago with all counsel present and that there are approximately 417,000 documents that were not turned over. Mr. Cristalli advised it is more like 800,000, not sure if any are duplicates or if they overlap. Mr. Staudaheer stated these documents pertain to the civil case, not the criminal. Ms. Weckerly concurred, however, noted she understands that counsel still needs to review them. Statements by Ms. Stanish and Mr. Santacrose. Court stated its displeasure, however, ORDERED, trial date VACATED and RESET. FURTHER, there will be frequent status checks as to discovery. Mr. Staudaheer advised they are close to being done with the review at Metro and Metro Intel. Court so noted.

CUSTODY (LAKES CROSSING)

5/4/11 9:00 AM STATUS CHECK: DISCOVERY

3/5/12 9:00 AM CALENDAR CALL (#1)

3/12/12 1:30 PM JURY TRIAL (#1)

PRINT DATE: 12/10/2013

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Minutes Date:

June 04, 2010

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 17, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

March 17, 2011**9:30 AM****Further Proceedings:
Competency****HEARD BY:** Glass, Jackie**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown; Alice Jacobson**RECORDER:** Rachelle Hamilton**REPORTER:****PARTIES****PRESENT:**

Desai, Dipak K

Defendant

Stanish, Margaret M.

Attorney

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Ms. Stanish provided the Court with a list of the deft's medications. COURT ORDERED, Deft. REMANDED TO CUSTODY to be sent up to Lakes Crossing. Court advised counsel that they will receive communication from Lakes Crossing regarding the deft's status by way of a letter or report.

CUSTODY (L.C.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 04, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

May 04, 2011**9:00 AM****Status Check****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Cristalli advised all is going well; there were some depositions done last week in the civil case that they still do not have. Mr. Cristalli stated they are still going through the discovery to make sure nothing is overlapping. Statements by Mr. Santacroce including that he is not having any issues with the discovery. Mr. Wright advised they are organizing the discovery, however, they will need Deft Desai's input. Following colloquy, COURT ORDERED, matter CONTINUED 90 days.

CUSTODY (LAKES CROSSING)

... CONTINUED 8/10/11 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 15, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

June 15, 2011**9:00 AM****Request****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

Rivera-Rogers, Mariteresa

Attorney

State of Nevada

Plaintiff

Staudaheer, Michael V.

Attorney

Weckerly, Pamela C

Attorney

JOURNAL ENTRIES

- Court noted this matter was discussed in chambers and pursuant to that discussion, ORDERED, matter CONTINUED one week to do some planning as to who will have access to the discovery.

CUSTODY (LAKES CROSSING)

... CONTINUED 6/22/11 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 22, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

June 22, 2011**9:00 AM****Request****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

Owens, Christopher J.	Attorney
Rivera-Rogers, Mariteresa	Attorney
State of Nevada	Plaintiff
Staudaher, Michael V.	Attorney
Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Ms. Rivera-Rogers appeared for Mr. Wright. Mr. Staudaher stated Det. White from METRO was also present. Court advised it spoke with Judge Adair as Judge Togliatti was unavailable and they are going to meet to determine if a custodian should be appointed to handle the discovery or how they should handle this. COURT ORDERED, matter CONTINUED.

CUSTODY (LAKES CROSSING)

... CONTINUED 7/13/11 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 13, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

July 13, 2011**9:00 AM****Request****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

Winckler, Karen C.

Attorney

JOURNAL ENTRIES

- Court advised it spoke to Judge Adair and noted they will be speaking to the Chief Judge, Judge Togliatti. One thing that has been discussed is for the material to be copied, with the Civil attorneys sharing the cost with the criminal attorneys and put in a depository. Mr. Staudaher advised there are over 417,000 pages from the Southern Nevada Health District. That in the Intel Office and Vault, there are approximately 200-220 boxes of discovery and does not feel the State should have to bear the cost to copy for the Civil attorneys. Upon Court's inquiry, Mr. Santacroce advised the issue is not the criminal attorneys having access, but the civil attorneys. Court noted it is the integrity of the evidence that is the issue and that once these other attorneys have access, something might be lost or misplaced. Counsel concurred. Mr. Staudaher stated his opinion is that when the criminal trial is over, the civil attorneys may have access to the discovery or it all goes to a secure location for copying with the civil attorneys bearing the cost. Further, Mr. Staudaher advised that the 417,000 documents have been Ordered to be provided in the civil case and noted that the State has not been provided anything that the defense is going to use. Mr. Santacroce and Ms. Winckler stated that when they have finished going through it and know what they are going to use, they will provide copies to the State. Colloquy as to a possible HIPPA issue. Following additional colloquy, Court advised it would speak to Judge Adair and Judge Togliatti. COURT ORDERED, RESOLVED. Colloquy as to

10C265107-1

upcoming status check date. Following, COURT ORDERED, date of 8/10 is VACATED and RESET.

CUSTODY (LAKES CROSSING)

12/5/11 9:00 AM STATUS CHECK: DISCOVERY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 11, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

October 11, 2011**10:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- FURTHER PROCEEDINGS: COMPETENCY...DEFT'S MOTION FOR COMPETENCY HEARING AND DISCOVERY OF COMPETENCY EVALUATION RECORDS

APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Court noted the reports from Lakes Crossing indicate that the deft. has been found competent. Upon Court's inquiry, Mr. Wright stated that a subpoena was not issued for the records requested; the only records outstanding are the records from Drs. Krelstein and Bradley who evaluated the deft. prior to the deft. going to Lakes Crossing and all of the records from Lakes Crossing; a subpoena can be issued, but thought the Court would order the records be produced. Upon further inquiry regarding a hearing date, Mr. Stahdaher stated that he believes that Mr. Wright would want to obtain the records before setting a hearing. Mr. Stahdaher stated there is another issue that pertains to the pre-Lakes Crossing evaluations that were done; there was a request for the raw data related to some of the testing that was done and was requested by both parties prior to the deft. going up to Lakes

Crossing; although the reports and information were allowed to be provided by the various providers, the raw data was excluded by the Court as he believes there is an issue with regards to the psychologists who evaluate not letting out the raw data. Court stated that it undertook, in preparation for today, to speak with the counsel for Lakes Crossing in terms of deterring how much material will be produced and the time frame to be appropriate to produce it and if there is any exclusion, what would they be; the reference provided by the Attorney General's office is that raw data, including the court appointed doctors, that there is a copyright issue; it's how the raw data is inputted and the assessments and tools that provides a copyright issue for those tests; additional details can be provided as need be but the Court will continue to exclude the raw data. Court advised counsel that since the deft. spent some time at Lakes Crossing, Court was advised that the records are voluminous and would take about 20-30 days for them to be provided. Colloquy between Court and counsel regarding the amount of time needed to proceed with the hearing. COURT ORDERED, Mr. Wright is to issue subpoena's by Friday October 14, 2011 at noon to all doctor's who they want to obtain the records from; the subpoena's are to include a thirty day return time frame of November 14, 2011; FURTHER ORDERED, matter set for a status check to determine if the reports have been recieved and if they are in the process of being provided to the experts so that a firm hearing date can be set.

BOND

11/15/11 10:00 AM FURTHER PROCEEDINGS: COMPETENCY/STATUS CHECK:
DOCUMENTS RECEIVED & SET HEARING DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 15, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

November 15, 2011 10:00 AM**Further Proceedings:
Competency****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Colloquy between Court and counsel regarding the documents that were provided and the parameters of the hearing. Arguments by counsel. COURT ORDERED, matter set for hearing regarding what the parameters of the hearing will be and counsel is to file simultaneous briefs regarding the issue; FURTHER ORDERED, a hearing date set, thereafter, challenging the findings. Court directed counsel to file their briefs by December 6, 2011. Court WAIVED deft's presence for the hearing set for December 13, 2011.

BOND

12/13/11 10:00 AM HEARING: PARAMETERS OF THE HEARING

1/27/12 9:00 AM FURTHER PROCEEDINGS: COMPETENCY/HEARING: CHALLENGE

PRINT DATE: 12/10/2013

Page 45 of 166

Minutes Date:

June 04, 2010

OF LAKES CROSSING FINDINGS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 12, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

December 12, 2011 9:00 AM Status Check**HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES**

PRESENT:	Adams, Danae	Attorney
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted it met with Mr. Santacroce and Mr. Cristalli in chambers prior to calendar and that he needs to meet with all counsel on 12/14 at 8:30 AM in chambers. COURT ORDERED, matter CONTINUED.

BOND (ALL)

... CONTINUED 12/14/11 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 13, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

December 13, 2011**10:00 AM****Further Proceedings:
Competency****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Statement by Mr. Wright regarding seeking evidence to contest the findings of Lakes Crossing. Argument by Ms. Weckerly. Court stated its findings an ORDERED, that it will allow the defense to have one witness, if they have one, who can testify and opine as to the deft's competency to stand trial subsequent to deft's treatment and return from Lakes Crossing; any documentation that came into play from the doctor's from Lakes Crossing to be presented but anything beyond that will not be allowed in. COURT FURTHER ORDERED, Mr. Wright is to provide the witness disclosure by January 11, 2012.

BOND

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 14, 2011**

10C265107-1

The State of Nevada vs Dipak K Desai

December 14, 2011 9:00 AM Status Check**HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES**

PRESENT:	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Court noted counsel met in chambers prior to calendar and pursuant to that meeting, ORDERED, matter CONTINUED.

BOND

... CONTINUED 1/18/12 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 11, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

January 11, 2012**12:00 AM****Minute Order****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- The Court having received Defendant s Petition to Stay Proceedings in District Court and the State s Opposition thereto and after reviewing the pleadings without a hearing or argument from Counsel, the Court makes the following findings:

COURT FINDS Defendant s Petition to Stay Proceedings in District Court declares Defendant is in the process of preparing a Petition for Writ of Prohibition/Mandamus and requests a stay until the Supreme Court rules on the Writ.

COURT FINDS Defendant has a scheduled Hearing pursuant to NRS 178.460 on January 27, 2012.

COURT FINDS Defendant has failed to provide adequate justification for this Court to grant a Stay of his requested hearing pursuant to NRS 178.460 pending his Writ of Prohibition/Mandamus to the Nevada Supreme Court. COURT ORDERS Defendant s Petition for Stay of District Court Proceedings is DENIED.

BOND

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Richard Wright, Esq., (Wright, Stanish & Winckler) and Michael Staudaher, Esq., (Deputy District Attorney).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 18, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

January 18, 2012**9:00 AM****Status Check****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

Winckler, Karen C.

Attorney

JOURNAL ENTRIES

- Court noted this matter was discussed at length in chambers prior to calendar with all counsel and pursuant to that discussion, it was agreed that the matter would be continued to calendar call and SO ORDERED.

BOND

... CONTINUED 3/5/12 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 27, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

January 27, 2012**9:00 AM****Further Proceedings:
Competency****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Phyllis Irby**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

Desai, Dipak K	Defendant
Stanish, Margaret M.	Attorney
State of Nevada	Plaintiff
Staudaher, Michael V.	Attorney
Weckerly, Pamela C	Attorney
Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Mr. Wright provided assessment reports to the Court. Testimony and exhibits presented (see worksheet.) CONFERENCE AT THE BENCH.

COURT ORDERED, Parties to submit written closing arguments to the Court by the end of the business day on Tuesday, January 31, 2012. The Court will render its ruling upon review.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 22, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

February 22, 2012**9:00 AM****Motion****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** JoAnn Melendez**PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Mr. Wright requested Defendant's presence be waived. COURT SO ORDERED. Mr. Staudaher requested from this point forward, that Dr. Desai be present for all hearings for the Court to be able to view his demeanor and to interact with him. Statements by Mr. Wright. COURT SO ORDERED. Mr. Staudaher stated that Mr. Meana's health is failing and he will be returning to the Philippines to be with his family; they would like to take a videotaped deposition. Mr. Cristalli objected as he did not believe Mr. Meana testified in front of the Grand Jury, however, upon further review, found his testimony in the transcript. Additionally, Mr. Staudaher stated they have another witness with similar issues that will not be able to come to Court due to mental health issues relating to Hep C and would like to do a videotaped deposition at the same time as Mr. Meana. Statements by Mr. Cristalli. Mr. Staudaher advised he will put this in a written Motion to be heard next Monday. Following colloquy, COURT ORDERED, State's Motion GRANTED, matter set for hearing as to deposition and State's Motion set next Monday as to Ms. Greskin.

BOND

2/29/12 9:00 AM STATE'S MOTION TO TAKE DEPOSITION - MS. GRESKIN

10C265107-1

3/13/12 1:30 PM VIDEOTAPED DEPOSITION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 29, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

February 29, 2012**9:00 AM****All Pending Motions****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- STATE'S MOTION AS TO MS. GRESKIN...DEFT'S MOTION TO TAKE DEPOSITIONS PURSUANT TO NRS 174.175

Court noted Ms. Weckerly, Mr. Wright and Mr. Cristalli were in chambers prior to calendar and that Mr. Santacroce's presence was waived. Counsel stipulated to the video deposition of Ms. Greskin. COURT ORDERED, Motion GRANTED and the deposition will be taken on the same day as Mr. Meana's, 3/13/12.

Additionally, Court has ruled that there will be no press and no cameras present during these depositions.

BOND

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 02, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

March 02, 2012**3:00 AM****Minute Order****HEARD BY:** Togliatti, Jennifer**COURTROOM:****COURT CLERK:** Alan Castle**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- This Court notes that the retirement of the Department XIV judge has resulted in the assignment of a senior judge and/or judges who will preside over the cases assigned to Department XIV until further notice. In light of the anticipation of a lengthy trial and the potential for complex evidentiary issues, this Court FINDS that it is appropriate to exercise the Chief Judge authority granted it by Eighth Judicial District Court Rule 1.60(a) to reassign this case to a Civil/Criminal Division Judge to avoid any case management problems associated with temporary senior judge assignments in Department XIV. This Court further notes that District Court Department XXI is available to try the case, and has previously been assigned by the Presiding Civil Judge as the "coordinating Judge" for nonevidentiary matters, nondispositive pretrial matters, and discovery matters pursuant to EDCR 2.50(b) in the "infected" civil cases, in an order filed, October 6, 2010, in the lead infected group civil case A558225. Said experience and knowledge acquired as "coordinating judge" in the civil "infected" cases will promote judicial economy in management of the discovery and evidentiary issues in the instant criminal case. Therefore, this Court ORDERS the instant case reassigned to District Court Department XXI. Further, District Court Department XXI is to set a status check as soon as practicable to reset the trial.

CLERK'S NOTE: The above minute order has been distributed to: Steve Wolfson, District Attorney (Michael Staudaher, Deputy); and Richard Wright, Esq.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 08, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

March 08, 2012**11:00 AM****At Request of Court****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted; Athena Trujillo; Kristin Duncan; Sharry Frascarelli**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Frederick Santacroce and Michael Cristalli present on behalf of co-defendants. Court advised it was assigned this case by the Chief Judge and would like to keep the 3/13/12 date already set for depositions but move it to the morning as the Court has a murder trial starting. Colloquy on the logistics of deposing the two witnesses as they are in different locations. Mr. Santacroce advised he had a conflict as he had a preliminary hearing that morning in North Las Vegas. Court advised it would take responsibility for contacting Judge Lee to determine if that hearing could be changed. Colloquy regarding on-going discovery issues. Mr. Staudaher advised that any transcripts he has requested and received from counsel in the civil case have been given to the defense; however, he cannot state that he has obtained transcripts for all depositions that were done. Colloquy regarding examining the computers that were seized and the voluminous amount of material that needs to be retrieved by the forensic expert and examined by counsel. Court stated that many pages may have no bearing on this case and may not have to be examined in detail, but counsel argued that they don't know what may or may not be relevant until they fully examine the documents. Further discussion on federal and metro discovery. Mr. Staudaher advised he received 19 disks from the federal discovery which has been provided to defense and advised that the defense needs to bring a 1.5

terabyte hard drive to metro to download the data. Defense attorneys confirmed they have nothing else to request from the State at this time but made mention that the federal Grand Jury Transcript had not been made available yet and may need the Court's assistance to obtain it. Counsel requested it be kept sealed. COURT ORDERED the State to continue to document any discovery provided to defense and to contact the Court should any assistance be required. Upon Court's inquiry, Counsel advised the federal trial will trail the District Court case. COURT ORDERED, trial date SET and further advised it will be setting Status Checks to make sure this case remains on track. Mr. Cristalli requested his client's presence be waived on 4/23 and there being no objection by the State, COURT SO ORDERED. Mr. Santacroce requested his client's presence be waived for the deposition hearing on Monday, but Court DENIED this oral motion, advising that since the deposition could possibly be used at trial, his presence is necessary to assist counsel in his defense.

BOND

04/23/12 9:30 AM STATUS CHECK

10/18/12 9:30 AM CALENDAR CALL

10/22/12 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 13, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

March 13, 2012**9:30 AM****Hearing****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted; Athena Trujillo; Kristin Duncan; Sharry Frascarelli**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Mr. Staudaher stated that the State is unable to proceed with either of the two scheduled depositions due to the failing health of the two witnesses, Ms. Grueskin and Mr. Meana. Mr. Staudaher advised the court that Ms. Grueskin's cognitive ability has declined to such a degree that he is unsure as to whether or not she would be able to be sworn in, or whether there will be any improvement to her condition. Mr. Staudaher further advised that Mr. Meana is currently back in the hospital for evaluation after being released for a short time, and may be available to be deposed at a later date. Mr. Staudaher requested that this matter be taken off calendar, and stated that he will keep all parties apprised of the status of both witness's health. COURT ORDERED matter OFF CALENDAR. COURT FURTHER ORDERED Status Check date STANDS.

BOND

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 20, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

March 20, 2012**11:30 AM****Hearing****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

Desai, Dipak K

Defendant

State of Nevada

Plaintiff

Weckerly, Pamela C

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Also appearing; Defendant Ronald Lakeman with counsel Frederick Santacroce and Keith Mathahs with counsel Michael Cristalli. Ms. Weckerly stated that Ronald Lakeman is charged in every count. Mr. Santacroce advised that he did not treat Mr. Meana. The Court noted its concern regarding possible post conviction issues if matters should come to that. Mr. Meana SWORN AND TESTIFIED. Testimony delayed for a short time for Mr. Meana. TESTIMONY CONTINUED. Following end of testimony Court and counsel discussed scheduling for continued video deposition. Upon inquiry by Mr. Santacroce, COURT ORDERED, his client must be present at the continuance. COURT FURTHER ORDERED, matter CONTINUED.

BOND (ALL)

CONTINUED TO: 3/23/12 10:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 23, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

March 23, 2012**10:30 AM****Motion to Take Video
Deposition****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Phyllis Irby**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Weckerly, Pamela C

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Ms. Weckerly stated the Court had started the deposition of one of the victims in this case Mr. Rudolpho Mena. After the deposition he had severe medical complications over the next 2 days. The State received a note from his doctors indicating he was compromised by the deposition and sitting for long periods of time. Mr. Mena has made arrangements to be medically transported to the Philippines on the 27th of this month and his family is concerned he will miss his flight if he has to give another deposition. Ms. Weckerly stated based on this information the State can not go forward with the deposition. COURT ORDERED, no other action needs to be taken at this time, the deposition has been recorded and will be maintained; the testimony remains preserved. Mr. Cristalli inquired if his client needed to be present at the next status check date. FURTHER ORDERED, Mr. Mathis is excused due to conflicts with his schedule. Mr. Lakeman lives out of state, doesn't need to appear for status check. Mr. Desai to be PRESENT NEXT STATUS CHECK DATE.

4-23-12 9:30 AM STATUS CHECK (DEPT. XXI)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 23, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

April 23, 2012**11:00 AM****Status Check****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Nancy Tibbetts**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Mr. Staudaher advised computer records have been available to Counsel since October of last year and opposing Counsel have not requested them. Mr. Staudaher further advised a hard drive(s) that holds approximately 5 terabytes worth of data would be needed to copy the images. Mr. Cristalli advised Counsel has part of the images already and Counsel's experts have been trying to organize the information. Colloquy regarding what images are on the hard drives and if Counsel still wanted the information. Mr. Cristalli further advised Counsel is looking for additional hard drives that were referenced in discussions with Detective Whitley. Mr. Staudaher stated what has been available and Detective Whitley has been trying to coordinate with Counsel to copy the images. Court directed Counsel to get with their experts to see what is needed in a timely fashion.

Mr. Cristalli stated he is not able to get relevant documents from the Civil Defense Counsel and may need the Court's help. Colloquy regarding Health District documents and Ms. Schwartz. Mr. Staudaher informed the Court, there are patients who are a lost follow up from the Health District, meaning they were not tested. Mr. Staudaher mentioned the statute limits the Health District's requirements to comply with subpoenas. Court directed Mr. Staudaher to submit a request; in order to obtain the patient information while protecting privacy rights. Mr. Staudaher clarified how names

should be listed at trial. Mr. Santacroce joined in with Mr. Cristalli's arguments. Mr. Wright advised there may not be enough time before trial for his client to read all the testimony and depositions. COURT ORDERED, matter SET for status check.

6/11/12 9:30 AM STATUS CHECK: CASE STATUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 10, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

May 10, 2012**10:30 AM****Petition for Writ of Habeas
Corpus****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Jill Chambers**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

Desai, Dipak K

Defendant

Stanish, Margaret M.

Attorney

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- Mr. Staudaher argued the Deft's Motion is not timely as the time limit has expired. Colloquy regarding how days should be counted. COURT FINDS, the State has met the statute as well as the constitutional standards and DENIED the Deft's Motion.

BOND

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 11, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

June 11, 2012**9:30 AM****Status Check****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Phyllis Irby**RECORDER:** Sandra Pruchnic**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- DEFT LAKEMAN NOT PRESENT, DEFT MATHAHS NOT PRESENT. Mr. Santacroce advised Defts live out of state. COURT ORDERED, DEFT'S PRESENCE WAIVED. Court noted, Mr. Cristalli not present. Mr. Wright informed the Court he has received Discovery. Mr. Santacroce advised he has Discovery except from investigations. Mr. Cristalli now present, advised there is are no issues to report in terms of progress. Further, with Discovery we are going through our own forensic analysis on the computers that were recovered, no other deficiencies at this time. CONFERENCE AT THE BENCH. Mr. Staudaher stated there may be a potential conflict of interest in this case with Mr. Cristalli with the prior change of office and Mr. Cristalli may have come in contact with a Deft on the Federal side (RUSHING) and she is a witness for the State in this case. Once the State informed Mr. Cristalli of the conflict, Mr. Cristalli stated he hasn't discussed anything with Mr. Gentile doesn't seem to have any conflicts. COURT ORDERED, if there is a file or notes relating to the initial intake interview, Mr. Cristalli is ORDERED, NOT TO LOOK AT ANYTHING. FURTHER, because there is no ongoing representation of this individual, the Court FINDS, Mr. Cristalli is fine to remain on this case. FURTHER ORDERED, MATTER CONTINUED.

10C265107-1

BOND (ALL)

8-07-12 9:30 AM STATUS CHECK: STATUS OF CASE (ALL) (DEPT. XXI)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 07, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

August 07, 2012**9:30 AM****Motion to Vacate****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

Desai, Dipak K

Defendant

Stanish, Margaret M.

Attorney

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

JOURNAL ENTRIES

- Micah Echols, Esq. appearing for the Health District. Mr. Staudaher requested more time to review the opposition; there are additional papers that he will provide and he needs three weeks to speak with clients. Mr. Echols concurred. Mr. Staudaher stated he will prepare a written order for confidentiality. Upon Court's inquiry, counsel stated there are not other Discovery issues at this time.

8/28/12 9:30 AM STATUS CHECK: RESOLUTION/HEALTH DISTRICT AND STATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 28, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

August 28, 2012**9:30 AM****Status Check****Resolution/Health
District and State****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Sharon Chun**RECORDER:** Debbie Winn**REPORTER:****PARTIES****PRESENT:**

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

JOURNAL ENTRIES

- Terry Coffing, Esq., was present for the Southern Nevada Health District. Other counsel present: F. Santacrose, E. Morgan, and M. Stanish.

Mr. Staudaher confirmed this status check concerns the Southern NV Health District's Motion to Vacate the Court's Order of 7-12-12. COURT NOTED that this status check only involves the State and the Southern NV Health District and that other counsel do not need to be present for this matter.

Mr. Coffing requested a couple of days to allow argument. There being no opposition by Mr. Staudaher, COURT ORDERED, MATTER CONTINUED to Thursday for argument.

CONTINUED TO: 8/30/12 9:30 AM

COURT ORDERED, CONTINUED.

BOND

CONTINUED TO: 8/30/12 9:30 AM

PRINT DATE: 12/10/2013

Page 68 of 166

Minutes Date:

June 04, 2010

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 30, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

August 30, 2012**9:30 AM****Status Check****Resolution/Health
District and State****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Sharon Chun**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

Rivera-Rogers, Mariteresa

Attorney

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Weckerly, Pamela C

Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Terry A. Coffing, Esq. for Southern Nevada Health District, Eunice Morgan, Esq. for Deft Keith Mathahs, and Mariteresa Rivera-Rogers for Deft Desai.

Mr. Coffing argued per Southern Nevada Health District's Reply in Support of Motion to Vacate ExParte Order for Release of Health Records. He reiterated that consent has to be obtained from each person for whom the State is seeking information. He further argued that information being requested by the State is available elsewhere and can be determined by research of the information they already have.

Mr. Staudaher reiterated the State's arguments that consent is only one way to obtain the information sought. Another way is through a Court Order. Arguments renewed as per the original State's Opposition to the SNHD's Motion to Vacate the Hearing.

Mr. Coffing, in closing, stated that SNHD has been put behind the "8-Ball" because they should have been contacted at the onset for this matter. COURT RESPONDED that it did not find prejudice to the

Health District and noted they are getting a hearing, a chance to argue, and that nothing has been disclosed as yet.

Following additional arguments, COURT STATED it will review the Statutes again and will issue it's decision from Chambers on 9/5/12.

Mr. Coffing requested a ten day stay if the Court grants the State's motion.

9/5/12 CHAMBERS - DECISION RE: SNHD'S MOTION TO VACATE EX PARTE ORDER FOR RELEASE OF HEALTH RECORDS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 05, 2012

10C265107-1

The State of Nevada vs Dipak K Desai

September 05, 2012 3:00 AM Decision

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, the Southern Nevada Health District's motion to vacate order is GRANTED. COURT FINDS NRS 441A.220 controls and precludes the release of the requested information. COURT FURTHER FINDS that the statute as applies is constitutional and not preempted by federal law.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Mariteresa Rivera-Rogers (Wright, Stanish & Winkler), Michael Staudaher, Pamela Weckerly, Terry Coffing (Marquis Aurbach Coffing) and Eunice Morgan (Gordon Silver).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 02, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

October 02, 2012**9:30 AM****All Pending Motions****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Michael Staudaher and Pam Weckerly appearing for the State. Richard Wright and Margaret Stanish appearing for Defendant Dipak Desai who is present; Frederick Santacroce appearing for Defendant Ronald Lakeman who was not present; Michael Cristalli appearing for Keith Mathahs who was not present.

DEFENDANT DESAI'S MOTION TO CONSOLIDATE RELATED CASES...STATUS CHECK: DISCOVERY/TRIAL READINESS (ALL)...DEFENDANT'S MOTION TO CONTINUE TRIAL (MATHAHS)...DEFENDANT'S MOTION TO CONTINUE TRIAL (DESAI)...DEFENDANT'S MOTION TO CONSOLIDATE (MATHAHS)

The Court noted reviewing all of the motions. Mr. Wright stated he had no argument regarding the Motions to Consolidating the cases. The Court advised that both cases arise from the same facts and circumstances; since on the eve of trial the Court is not inclined to continue the trial; The death Of Mr. Meana was foreseeable and his deposition had to be cut short early because of his lack of strength. Additionally, there was no second phase of the deposition as his wish was to go home to the Philippines to pass away there. Mr. Wright argued that he is not prepared to go to trial and is requesting an additional six months to be properly prepared. He stated the many reasons why if the trial went forward now he would be ineffective at assisting his client. He noted that the writ is due on the murder case on 10/29/12. Further arguments by counsel regarding expert witnesses,

consolidation and continuance of trial. Mr. Santacroce and Mr. Cristalli joined in Mr. Wright's Motion to Continue. Mr. Staudaher stated that although 10/22/12 was a firm setting for the trial, the fact that Mr. Wright is claiming ineffective assistance of counsel, he doesn't want trouble because of that issue. He advised that the State is willing to continue for six months, but it must be a firm date with no other continuances allowed. Colloquy regarding the issue concerning the Writ. COURT ORDERED, Motion to Consolidate is CONTINUED and the issue of continuing trial will be discussed again at a later hearing.

BOND (ALL)

10/4/12 9:30 AM DEFENDANTS' MOTION TO CONSOLIDATE (DEPT 21)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 04, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

October 04, 2012**9:30 AM****All Pending Motions****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- DEFENDANT DESAI'S MOTION TO CONSOLIDATE RELATED CASES...DEFENDANT'S MOTION TO CONTINUE TRIAL (DESAI)...STATUS CHECK: DISCOVERY/TRIAL READINESS (ALL)...DEFENDANT'S MOTION TO CONTINUE TRIAL (MATHAHS)...DEFENDANT'S MOTION TO CONSOLIDATE MATHAHS

Michael Staudaher and Pam Weckerly appearing for the State of Nevada. Richard Wright and Margaret Stanish appearing for defendant Dipak Desai; F. Santacroce appearing for Ronald Lakeman and M. Cristalli appearing for Keith Mathahs. Mr. Lakeman and Mr. Mathahs appearances were waived at this hearing.

The Court noted that on 10/2/12 the Defendants moved for a continuance with no opposition by the State as Mr. Wright was not prepared and felt he would be rendering ineffective assistance of counsel. Additionally, Mr. Wright and Ms. Stanish agreed they would be ready for trial in six months. Mr. Santacroce and Mr. Cristalli also agreed to be ready in six months. COURT ORDERED,

PRINT DATE: 12/10/2013

Page 75 of 166

Minutes Date:

June 04, 2010

trial date is VACATED and RESET and informed counsel that this would be the LAST CONTINUANCE afforded to counsel. Mr. Wright requested that wanted to discuss his client's deficits. The Court informed him to provide medical information to the Court and the State closer to trial time. Mr. Staudaher advised that the State has designated 59 witnesses and experts and will provide the list to defense counsel. COURT ORDERED, cases C265107 and C283381 are HEREBY CONSOLIDATED. COURT FURTHER ORDERED, status checks will be set to determine experts being called and to assure counsel will be ready for trial. Questionnaires provide to all counsel by the Marshall. COURT ORDERED, trial date VACATED and RESET to a FIRM SETTING.

BOND (ALL)

11/1/12 9:30 AM STATUS CHECK: EXPERTS/TRIAL READINESS

4/18/13 CALENDAR CALL - FIRM SETTING

4/22/13 9:30 AM JURY TRIAL - FIRM SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 01, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

November 01, 2012 9:30 AM Status Check**HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- Pam Weckerly and Michael Staudaher appearing for the State of Nevada. Margaret Stanish appearing for Defendant Dipak Desai who is present; Michael Cristalli covering for Mr. Santacroce who is not present, nor his client Ronald Lakeman; Michael Cristalli appearing Defendant Keith Mathahs who is present. Counsel present for case C283381 as well.

The Court noted its concern that Mr. Wright had only obtained one expert, therefore the Court will issue a date by which the experts are to be named. Mr. Staudaher advised he has made progress and has retained additional experts. Upon Court's inquiry, Ms. Stanish stated they are interviewing additional experts and have three medical experts on retainer. Mr. Cristalli advised he is working with the other defense attorneys to use as many of the same experts as possible and that they already have medical experts. The Court asked counsel where they are on the jury questionnaires as the Court wants them ready six weeks before the 4/22/12 trial date. Ms. Weckerly said she and Mr. Staudaher are working on them; a draft should be finished in two weeks and will be provided to defense counsel. COURT ORDERED, matter CONTINUED.

BOND (ALL)**CONTINUED TO: 1/8/13 9:30 AM**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 13, 2012

10C265107-1

The State of Nevada vs Dipak K Desai

**November 13, 2012 9:30 AM Petition for Writ of Habeas All Pending Motions
Corpus**

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney

JOURNAL ENTRIES

- DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (DESA)...DEFENDANT RONALD LAKEMAN'S PETITION FOR WRIT OF HABEAS CORPUS AND JOINDER WITH DEFENDANT KEITH MATHAHS' PETITION FOR WRIT OF HABEAS CORPUS...DEFENDANT KEITH MATHAHS' PETITION FOR WRIT OF HABEAS CORPUS OR IN THE ALTERNATIVE, MOTION TO DISMISS INDICTMENT

Also appearing, Frank Santacroce, Esq. for Defendant Ronald E. Lakeman and Eunice Morgan for Defendant Keith H. Mathahs.

Mr. Staudaher stated the opposition was just finished and requested a briefing schedule be set. COURT ORDERED, as follows:

Response due by 11/27;

Reply due by 12/4;

Hearing date set.

10C265107-1

BOND (ALL)

CONTINUED TO: 12/11/12 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 11, 2012**

10C265107-1

The State of Nevada vs Dipak K Desai

December 11, 2012**9:30 AM****All Pending Motions****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (DESAI)...DEFENDANT RONALD LAKEMAN'S PETITION FOR WRIT OF HABEAS CORPUS

Pam Weckerly and Michael Staudaher appearing for the State. Richard Wright and Margaret Stanish appearing for Defendant Dipak Desai; Frederick Santacroce appearing for Defendant Ronald Lakeman.

Ms. Stanish requested that the arguments be confined to the four corners of the indictment and deficiency of the indictment as it used terms indicating that Dr. Desai did something indirectly causing patients to contract Hepatitis C; there is a lumping together of the Defendants and their actions. She cited the Hidalgo case. Response by Mr. Staudaher to Ms. Stanish's arguments. He advised that the State is not just going on one theory; the language of the law comes directly out of the statute. Ms. Stanish argued that for Murder Second Degree, due process requires articulation of the elements of fact. Mr. Staudaher stated that separate portions can come under Second Degree Murder and the Plaintiff is on notice. Ms. Stanish argued that the State is missing the point; she discussed the statutes given to the Grand Jury and the State was required to apprise them of the elements of the crime. Mr. Staudaher said that Ms. Stanish is citing out of date law. Ms. Santacroce joined in Ms. Stanish's argument; felony murder rule only applies in the direct death and there is no nexus between Lakeman and Meana. Statement by the Court. Mr. Staudaher stated that criminal

liability has been pled; as to theory of conspiracy they were working on patients together that day. Further arguments by Mr. Santacrose. COURT ORDERED, Petitions to Writ of Habeas Corpus as to Desai and Lakeman are DENIED.

BOND (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 19, 2012

10C265107-1

The State of Nevada vs Dipak K Desai

December 19, 2012

3:00 PM

Decision

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (DESAI)...DEFENDANT RONALD LAKEMAN'S PETITION FOR WRIT OF HABEAS CORPUS

COURT ORDERED, Dr. Desai's Habeas Petition is DENIED. Dr. Desai will stand trial on the murder charge.

COURT ORDERED, Defendant Lakeman's Petition is CONTINUED to 1/3/13 at 9:30 AM for further argument and decision. The Court will entertain argument on how Lakeman's role as a co-conspirator and/or aider and abettor relates to the infection and death of Mr. Meana.

The State is to prepare the order regarding the denial of Desai's petition.

1/3/13 9:30 AM ARGUMENT/DECISION RE: LAKEMAN'S PETITION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 08, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

January 08, 2013**9:30 AM****All Pending Motions****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted; Denise Trujillo**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- DEFENDANT DESAI'S MOTION FOR COMPETENCY EVALUATION...STATUS CHECK:
EXPERTS/TRIAL READINESS (ALL)

Pam Weckerly and Michael Staudaheer appearing for the State. Richard Wright and Margaret Stanish appearing for Defendant Dipak Desai and F. Santacroce appearing for Defendant Ronald Lakeman.

The Court noted it reviewed everything, including the records from Lake's Crossing and orders from Judge Delaney; doubt has to be decided by the Court. Mr. Staudaheer advised that he is not taking a position on this matter. Mr. Wright stated that Dr. Biktor had not seen Desai until he tested him; additional tests by Dr. Woo show that Desai is not competent. The Court stated that Lake's Crossing found Desai was giving answers any way he wanted and was controlling the interview; the issue has been thoroughly litigated. Lake's Crossing found Desai to be malingering. Following further arguments by Mr. Wright, COURT FINDS, no evidence that anything has changes; no new diagnostics such as a new stroke or open heart surgery to show cognitive decline. Additionally the responses were controlled by Desai and the Court has seen reactions by Desai. COURT ORDERED, Motion to Refer to Competency Court is DENIED. The State is to prepare the order. Ms. Santacroce stated he joined in the arguments by Mr. Wright and Ms. Stanish. COURT FURTHER ORDERED, status check date is CONTINUED.

10C265107-1

BOND

CONTINUED TO: 3/7/13 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 12, 2013

10C265107-1

The State of Nevada vs Dipak K Desai

February 12, 2013

9:30 AM

Request

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Phyllis Irby

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

Desai, Dipak K

Defendant

State of Nevada

Plaintiff

Staudaher, Michael V.

Attorney

Wright, Richard A.

Attorney

JOURNAL ENTRIES

- 3RD AMENDED INDICTMENT FILED IN OPEN COURT. CONFERENCE AT THE BENCH.
COURT ORDERED, TRIAL DATES STAND.

BOND (ALL)

4-18-13 9:30 AM CALENDAR CALL (DEPT. XXI)

4-22-13 9:30 AM JURY TRIAL (DEPT. XXI)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 07, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

March 07, 2013**9:30 AM****Status Check****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez; Ying Pan**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Court NOTED, a letter from Defendant Desai's counsel was received by Chambers, making numerous requests as Defendant Desai was hospitalized for a recent stroke. Court INFORMED parties of its inclination of not delaying the Trial any longer. Colloquy between the Court and counsel as to Defendant Desai's competency to stand trial, Defendant Desai's medical history, and the necessity for a third-party independent evaluation. Court FURTHER NOTED, Defendant Desai was sent to Competency Court previously, and was found competent. Court ACKNOWLEDGED the prior Court's Order requiring Defendant Desai to be present in all hearings in order for the Court to observe Defendant's condition. COURT ORDERED, an Independent Evaluation regarding Defendant Desai's medical condition shall be CONDUCTED, and DIRECTED parties to confer and provide the Court with a proposed list of evaluation providers. COURT FURTHER ORDERED, based on the case history, Defendant Desai's requests of staying proceedings, and referring Defendant to Competency Court for evaluation DENIED, Trial Date STANDS. Court SUGGESTED Defendant Desai to continue treatments, and follow through with any necessary therapies. Further discussions regarding duration of the Trial, witnesses, and jury selection. Court FURTHER DIRECTED counsel to continue

10C265107-1

preparing for Trial.

BOND

4/18/13 9:30 AM CALENDAR CALL

4/22/13 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 12, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

March 12, 2013**9:30 AM****Motion in Limine****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Aaron Carbajal; Keri Cromer; Teresa Slade; Dania Batiste; Sharon Coffman**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Court noted it had received an Opposition yesterday afternoon. Upon Court's inquiry, Mr. Staudaher indicated he received the Opposition and would reply orally. Mr. Staudaher provided the Court with the accompany letter from embassy personnel noting they were original documents. Colloquy regarding submitting further documents. Mr. Staudaher requested the documents be presumptly determine as authenticate noting they met the foreign documents exception. Opposition by Ms. Stanish. Argument regarding self authentication, course of business, and the right to confronting witnesses. Further, Ms. Stanish argued the genuineness of the documents need to be confirmed by the State Department. Argument by Mr. Santacroce regarding proper certification under the statute and cross examine of the authenticity of the documents. Colloquy regarding envelope, cover letter, and autopsy. COURT ORDERED, State's Motion in Limine for a Pretrial Determination of the Authentication and Admission of Certified Records Pertaining to Rodolfo Meana Obtained from the Philippines is taken UNDER ADVISEMENT. COURT FURTHER ORDERED, hearing date of 3/26/13 STANDS.

10C265107-1

BOND

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 21, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

March 21, 2013**12:00 AM****Decision****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, State's Motion in Limine to Admit Mr. Meana's Medical Records from the Philippines pursuant to NRS 51.115 is GRANTED, except for the medical certificate that was purportedly generated at the request of the patient which will not be admitted under NRS 51.115. COURT FURTHER ORDERED, State's Motion to Admit Mr. Meana's Death Certificate pursuant to NRS 51.155 is GRANTED. However, the record is not properly authenticated pursuant to NRS 51.155 in the form provided to the Court. The document may be admitted at trial only if the State properly complies with the requirements of NRS 51.155. COURT FURTHER ORDERED, State's Motion to Admit the Autopsy Report and Laboratory Findings is DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 26, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

March 26, 2013**9:30 AM****Motion****State's Motion to Use
Reported Testimony****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Tia Everett**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Pam Weckerly, Deputy District Attorney, present on behalf of the State. Defendant present out of custody and represented by Richard Wright Esq.

Matter trailed for Defendant Lakeman and Mr. Santacroce. RECALLED. Court noted the Marshal has attempted to contact Mr. Santacroce and the number is not in service. Upon Court's inquiry, Mr. Wright advised he contact Mr. Santacroce's office and left a message. Ms. Weckerly advised she received an opposition via email.

Following arguments by counsel, COURT ORDERED, Motion GRANTED IN PART as follows; Court will allow the video tape deposition shall be admissible and DENIED as to the civil deposition testimony. Court noted she received the jury questionnaire, which there are issues the Court would like to discuss and will meet with counsel on 3/28/2013 as the questionnaire will need to be provided to jury services no later than Monday. Court advised her JEA will contact parties with a time for the meeting.

BOND (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 16, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

April 16, 2013**9:30 AM****All Pending Motions****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez; Billie Jo Craig**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak K	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Calendar Call...State's Motion to Admit Evidence of Other Crimes

Court advised the report which was received yesterday and disseminated to all parties, has been reviewed and Stated its Findings. Mr. Staudaher and Mr. Santacroce announced ready for trial. Arguments by Mr. Wright regarding the report and requested an Evidentiary Hearing be set to hear the Doctor's testimony. Mr. Wright further renewed Defendant's Motion for a Competency Evaluation. Arguments by Mr. Staudaher opposing Mr. Wright's Motions. Court Stated Findings and ORDERED, Deft's Renewed Motion for a Competency Evaluation and Request for an Evidentiary Hearing DENIED. COURT FURTHER ORDERED, Trial date STANDS. Further arguments by Counsel. Mr. Wright requested for matter to be Stayed for Appeal. COURT ORDERED, Motion for Stay DENIED. Defendant's Exhibit A presented, marked and lodged with the Vault. (See Worksheet.)

As to State's Motion to Admit Evidence of Other Crimes, Mr. Santacroce informed he filed a Joinder to Defendant's opposition and requested the Court's attention on being cognizant of his client as the

second Defendant, arguing that some accusations will not apply to his client. Colloquy regarding the limitations of the Rexford lawsuit. Court Stated Findings and ORDERED, matter UNDER ADVISEMENT. Should a Petrocelli hearing be necessary, it can be addressed during the jury selection process.

BOND (both)

4/22/13 JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 22, 2013

10C265107-1

The State of Nevada vs Dipak K Desai

April 22, 2013

9:30 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY. Introductory comments by Court and counsel. Jury selection. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 23, 2013

10C265107-1

The State of Nevada vs Dipak K Desai

April 23, 2013

9:30 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Court and counsel met in Chambers regarding the Supreme Court order. COURT ORDERED, the State has today and all day Wednesday to file a reply; Defense has Thursday to file a reply. Trial will commence on Friday, April 26, 2013.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 26, 2013

10C265107-1

The State of Nevada vs Dipak K Desai

April 26, 2013

9:30 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jury selection continues.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 29, 2013

10C265107-1

The State of Nevada vs Dipak K Desai

April 29, 2013

9:00 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Jury selection continues. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 30, 2013

10C265107-1

The State of Nevada vs Dipak K Desai

April 30, 2013

9:00 AM

Jury Trial

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Denise Husted

RECORDER: Janie Olsen

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY. Introductory statements by Court and counsel. Roll of jurors called by the clerk. Jury selection continues.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 01, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 01, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding exhibits. Arguments regarding for cause challenges. IN THE PRESENCE OF THE JURY. Roll of jurors call by the clerk. Jury selection. OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding jury selection. Thursday, May 2 will be dark. Counsel informed the Court regarding the time it will take for opening statements. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 03, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 03, 2013**10:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Colloquy regarding trial schedule and peremptory challenges. Deft. Desai's Supplement Motion for Additional Peremptory Challenges FILED IN OPEN COURT. Mr. Wright enumerated the Defense's requests for certain accommodations for Defendant Desai and argued for favor. Court Stated Findings and Advised reasonable accommodations will be made as follows:

As to trial scheduling, the Court Advised the schedule will be flexible but DENIED a blanket ruling of 4 days per week and half days; As to request for daily transcripts, the COURT ORDERED, partial transcripts may be requested at the expense of the Defense;

As to frequent recesses, Court will continue to allow frequent breaks.

Colloquy regarding additional alternates.

Following arguments by Counsel, Court Stated Findings and FURTHER ORDERED, as to Defendant's Lakeman's Motion in Limine to Strike the testimony of the CDC Investigator, Motion

DENIED; As to Defendant Lakeman's Motion to Strike the video testimony of Rodolfo Meana, Motion DENIED; As to Mr. Wright's Motion to Reopen the Jury Selection, Motion DENIED.

Regarding the certified documents from the Philippines, Mr. Staudaher made representations as to its authenticity. Upon inquiry of the Court, Defense Counsels informed they have reviewed the documents and agreed they have been certified and are authentic. As to whether the medical records and certified documents from the Philippines will be admitted, Court Advised they will be allowed.

Mr. Staudaher informed the Detective on this case will be sitting in the trial and Defense Counsels agreed they had no objection.

Further colloquy regarding trial schedule.

BOND (Both)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 06, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 06, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding jury panel. As to Batson challenges lodged by Mr. Wright, Mr. Staudaher stated his race neutral reasons for excusing jurors. IN THE PRESENCE OF THE JURY. Jurors SWORN. Fifth Amended Indictment read by the Clerk. OUTSIDE THE PRESENCE OF THE JURY. Mr. Wright objected to using the photograph of Mr. Meana's gravestone as an exhibit; the death of Mr. Meana is not disputed. Mr. Staudaher argued that it is probative to show the man he used to be. COURT ORDERED, the photograph will not be used. IN THE PRESENCE OF THE JURY. Opening statements by Mr. Staudaher. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 07, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 07, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Juror questioned regarding her hardship. Counsel stated they don't want to dismiss this juror, but would release her if her employer will not pay her. IN THE PRESENCE OF THE JURY. Opening statements by Mr. Wright. CONFERENCE AT BENCH. OUTSIDE THE PRESENCE OF THE JURY.

Colloquy regarding excluding the media. COURT ORDERED, the media will not be excluded. Additionally the global settlement will not be discussed.

IN THE PRESENCE OF THE JURY. Opening statements by Mr. Santacroce. OUTSIDE THE PRESENCE OF THE JURY. Mr. Staudaher stated that the chart Mr. Santacroce was using should be made a Court's exhibit. COURT SO ORDERED. Patti Wise, Esq. present with Michael and Josephine Washington. The Court stated that pursuant to the negotiations in the Civil cases they signed confidentiality agreements. Ms. Wise stated the Court's order supersedes the agreement and witnesses are to answer questions truthfully. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Mr. Wright stated his opinion that his client was not receiving accommodations as agreed. The Court noted the objection for the record, however informed Mr. Wright that it is his responsibility to alert the Court when Dr. Desai needs a break. Mr. Wright advised that there was no break and now he needs to consult with his client as to the events for the entire day. The Court informed Mr. Wright that the only witnesses so far have been Mr. & Mrs. Washington and Mr. Wright did not ask for a break when they were

finished testifying. Following statement by Mr. Wright the Court reiterated that he needs to ask for what he needs. Additionally, the Court informed Mr. Wright that it is not taking a cavalier approach. Counsel has had months to prepare for the trial, therefore each day should not be a surprise as to what is going to take place. Ms. Weckerly stated that she gave defense counsel a list of witnesses for each day and will continue to do so. The Court directed the State to continue providing a list of witnesses for each day. Additionally, the Court stated that this is the first day of testimony. In the future, defense is to request to approach the bench to discuss the issue of a break; Mr. Wright did not request a break today and this morning and yesterday opening statements were given. Again she informed Mr. Wright that it is his obligation to request breaks for his client. Colloquy regarding witnesses and scheduling issues. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 08, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 08, 2013**9:30 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez; Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Court noted Juror #3 has a hardship and her employer has indicated they cannot make any accommodations. Court further noted Juror #17 has indicated that Juror #3 was complaining about her hardship and disclosed her feelings and opinions with regard to the case, constituting juror misconduct. Parties agreed to excuse Juror #3. With respect to the issue of whether Juror #3 has tainted the jury, Court Finds Juror #3 did not comment about anything outside the courtroom and therefore there is no concern.

Juror #3 PRESENT. Court Admonished Juror #3 of the possible sanctions of Juror misconduct and DISMISSED Juror #3.

JURY PRESENT. Court explained to the Jury the reasons for the Admonishment given at each recess and the possible sanctions of jury misconduct. Testimony and Exhibits presented. (See worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. Antonia Killebrew Esq., present on behalf of State's

Witness, Stacy Hutchinson. Ms. Killabrew objected to Ms. Hutchinson testifying to any details regarding the settlement. COURT ORDERED, as a witness, Ms. Hutchinson must answer any questions asked of her during her testimony; questions regarding a global settlement or a gross amount will not be entertained.

JURY PRESENT. Further Testimony and Exhibits presented. (See Worksheet.)

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 09, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 09, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony and Exhibits presented (See worksheet).

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding patients who were tested by Southern Nevada Health District (SNHD). Court reminded Counsel a ruling has already been made in favor of SNHD regarding releasing the complete list of names in order to protect public policy issues. Court Advised it would not be appropriate to ask about the records which were not released. Arguments by Mr. Santacroce. COURT ORDERED, Mr. Santacroce can ask about the number but not of the names. Statement by Mr. Wright with regard to Dr. Desai's understanding of Ms. Hutchinson's testimony and his memory of her. Mr. Wright further noted Dr. Desai's memories seem to be intertwined with other patients.

JURY PRESENT. Further Testimony and Exhibits presented. (See Worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. Artemus Ham, Esq. present on behalf of State's Witness,

PRINT DATE: 12/10/2013

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Minutes Date:

June 04, 2010

Patty Aspinwall. Mr. Ham asserted his objections as to Ms. Aspinwall testifying to amounts and details of the settlement. COURT ORDERED and DIRECTED Ms. Aspinwall to answer questions as asked during her testimony. Colloquy regarding exhibit no. 65.

JURY PRESENT. Testimony and Exhibits presented. (See Worksheet.)

OUTSIDE PRESENCE OF THE JURY. State provided a copy to the Court of the expert disclosure for Dr. Thomas Yee. Court Advised there is an issue with regard to Dr. Yee's ability to testify to about billing practices. Mr. Santacroce moved to strike Dr. Yee's testimony entirely. Further arguments by Counsel.

JURY PRESENT. Further Testimony and Exhibits presented. (See Worksheet.)

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 10, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 10, 2013**9:30 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez; Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony and exhibits presented. (See worksheets.)

OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding issues with the jury. Michael Cristalli, Esq. present. Court confirmed and clarified the details of the guilty plea agreement with witness Keith Mathahs. Upon inquiry, Mr. Mathahs agreed he understands.

JURY PRESENT. Further testimony and exhibits presented. (See worksheets.)

OUTSIDE THE PRESENCE OF THE JURY. Arguments by Counsel with regard to exhibits. Court advised only non-highlighted exhibits will be admitted. Objections by Mr. Wright as to exhibit #87 and withdrew his stipulation. COURT ORDERED, it is admissible, FINDS there is no prejudice, the document was seized from a warrant. Court directed the State to lay a foundation for the document when the police officer testifies.

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 13, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 13, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted;**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Witness Mathahs not in Court during arguments outside the presence of the jury. The State objected to the line of questions regarding Mathahs entering a plea. Mr. Wright believes he did nothing wrong, however, because of the money for attorney and bail he entered into a plea. The Court cautioned Mr. Wright that he cannot go into privileged communications. Ms. Weckerly stated that Mr. Wright's opinion whether Mathahs is guilty or not is irrelevant. The Court stated that Dr. Mathahs agreed to testify and testify honestly; the state of law does not make him an adverse witness. Mr. Wright argued prosecutorial misconduct. The Court noted that the critical issue is the reuse of the syringes; the crux of the case is 1) can propofol be used two times and 2) the use of syringes. The Court does not find that he is in breach; also the witness is out of Court at this time. It is up to the Court to determine if Mathahs is in breach and a hearing will have to be held at a different time; at this time the case has to move forward. Following further arguments regarding this issue, COURT FINDS no misconduct. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding scheduling. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 14, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 14, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Katrina Hernandez; Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- JURY PRESENT. Testimony and Exhibits presented. (See Worksheet.)

OUTSIDE THE PRESENCE OF THE JURY. Patty Wise, Esq. and State's Witness Sonia Orellana present and assisted by the Spanish Interpreter, Hector Vozquez-Mena. Antonia Kilebrew, Esq. and State's Witness, Gwendolyn Martin, also present. Court Admonished Ms. Orellana and Ms. Martin as to the duties of a witness testifying in this case and ORDERED Ms. Orellana to answer the questions asked by Counsel as deemed relevant by the Court.

JURY PRESENT. Further Testimony and Exhibits presented. (See Worksheet.)

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 15, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 15, 2013**12:30 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted;**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. The Court admonished Mr. Wright and Mr. Santacroce that she will no longer accept disrespect to the Court at the bench. They were also admonished to be back in Court on time from breaks. As these issues have become a pattern, the Court felt that a reminder was in order. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Mr. Wright objected to the use of the "tackle box" and stated his belief that it was improper impeachment. Opposition by Mr. Staudaher. Mr. Santacroce joined in Mr. Wright's argument. The Court finds that the State can ask the witness what he saw and since it is in dispute, counsel may check their notes. They cannot use the testimony to discredit Mathahs. Mr. Staudaher stated that Mathahs carried something between room to room which held anesthesia supplies. Mr. Santacroce stated that he asked if he saw propofol in the box. The Court stated that if he didn't see it, that does not mean that propofol was not in it; it was a reasonable inference. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 16, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 16, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Michael Staudaher and Pam Weckerly appearing for the State of Nevada. Richard Wright and Margaret Stanish appearing for Defendant Dipak Desai; F. Santacroce appearing for Defendant Ronald Lakeman.

IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT THE BENCH. Testimony and exhibits presented per worksheet. Evening Recess. Matter CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 17, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 17, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted; Katrina Hernandez**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Michael Staudaher and Pam Weckerly present for the State. Richard Wright and Margaret Stanish present for defendant Dipak Desai. Frederick Santacroce present for defendant Ronald Lakeman.

OUTSIDE THE PRESENCE OF THE JURY. The Court stated that the evening recess on 5/16/13 was taken at 3:30 PM to accommodate Mr. Wright's request to have time to confer with his client Dipak Desai. Additionally, the Court advised counsel that the juror in seat nine informed the marshal that she believes she knows one of the witnesses; she went to high school with him and now works with him, but didn't know his last name. She was made aware of this information by an email from the witness; she informed the witness that she didn't know what he was talking about. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Pursuant to request by Mr. Staudaher, the Court instructed Mr. Wright to phrase his questions properly. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Discussion regarding bad acts issue and questioning by Mr. Wright. The Court advised that the State should be able to ask the witness if he knew Desai was sued and had complaints at the Medical Board. Upon Court's inquiry, Mr. Staudaher stated there were multiple lawsuits but he didn't know how many were related to Hepatitis C. COURT FINDS, thirty one complaints is troubling; counsel cannot ask if he was aware of the amount of complaints, but he can

ask if he was aware of the complaints. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Colloquy regarding scheduling. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 20, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 20, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES**

PRESENT:	Desai, Dipak Kantilal	Defendant
	Stanish, Margaret M.	Attorney
	State of Nevada	Plaintiff
	Staudaher, Michael V.	Attorney
	Weckerly, Pamela C	Attorney
	Wright, Richard A.	Attorney

JOURNAL ENTRIES

- Michael Staudaher and Pam Weckerly appearing for the State. Richard Wright and Margaret Stanish appearing for defendant Dipak Desai, Frederick Santacroce appearing for Defendant Ronald Lakeman.

OUTSIDE THE PRESENCE OF THE JURY. The Court read the note from the juror in seat nine who was contacted by one of the witnesses. The juror stated she did not discuss the trial or any other information with the witness. The note was made a Court's exhibit. As to the State's motion regarding other bad acts, the matter is to be set for a Petrocelli hearing. The hearing will deal with the thirty-seven complaints against Dr. Desai. Mr. Staudaher stated that four of the thirty seven complaints related to starting the anesthesia prior to the physician entering the room. This shows that the patients were dealt with in a speedy manner and shows a pattern established over a period of time. Opposition by Mr. Wright. The Court stated that with Mr. Lakeman sitting here, the transmission had to come through the use of Propofol; the Court believes that the State will pull the patient to bottle argument together in a more scientific way. IN THE PRESENCE OF THE JURY. Testimony and

exhibits presented per worksheet. CONFERENCE AT BENCH. IN THE PRESENCE OF THE JURY. OUTSIDE THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Nia Killibrew present with her client Lakota Quannah. COURT ORDERED, Mr. Quannah must answer questions regarding the terms of the confidential settlement agreement and that he is required to disclose the net amount received. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 21, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 21, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted;**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE JURY. Mr. Santacroce requested that the State be precluded from referencing anyone the Health District produced as discovery was not provided. Mr. Staudaher stated that the door was opened by the defense referring to the number of lawsuits. The Court stated it was heard as the lawsuits in the case; believes the jury heard the victims in the case. Colloquy regarding other clusters. Mr. Staudaher advised that there was a large amount of people in the testing that weren't genetically linked; he doesn't want the jury to believe there were only several people tested. Mr. Santacroce stated the prosecutors have pled their indictment on only several infected individuals and he can't defend against hundreds of people. Mr. Staudaher advised that the Health District looked at a number of days and even though these other people were not charged, he should be able to bring them up. Mr. Wright objected to the Health District's report. COURT FINDS, it is not right to put out the suggestion that it was only two day with these people on the indictment. Furth, it is not fair to make a false suggestion to the jury. COURT ORDERED, it will fashion a way to allow this information to come in. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 22, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 22, 2013**12:30 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Mr. Wright stated that Carr's testimony before the Grand Jury was based on hearsay and unclear foundation. Additionally, he stated that he is vindictive and had animosity against Desai. He requested that the jury be asked if they read or heard anything about this case. The Court stated that it will admonish them as it has always done during this trial. Additionally, this admonishment will be that if anyone read something inadvertently or was contacted by someone, they are to contact the marshal. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Colloquy regarding statements of Dr. Carrera. The Court stated it will tell the jury it is only to be considered against Lakeman. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. CONFERENCE AT BENCH. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Mr. Wright objected to the testimony of Carrera regarding the press conference as it was brought before the jury improperly. He advised that now he believes the jury is wondering about a conspiracy. Mr. Weckerly stated her intent in asking the question was that others from R&R Partners were at the meeting; when a response was not given, she left the topic alone. The Court stated that Mr. Wright is saying that only people at the meetings were partners and lawyers. Mr. Staudaheer stated that if Mr. Wright was at the meeting, then he knew about it. The Court noted that when the statement was revealed, Mr. Pitaro was present and was not concerned about the attorney client privilege. The Court advised it would have given Mr. Staudaheer and Mr. Wright a chance to say this was privileged. Colloquy regarding this issue. Mr. Wright move for a mistrial. COURT ORDERED, Motion for Mistrial is DENIED and

admonished the State to be mindful of their continuing obligation going forward. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 23, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 23, 2013**10:30 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY. Oral Motion in Limine by defense regard recurrences precluding obstruction of justice; needs to be provided ahead of time. Arguments in support of motion. The Court directed counsel to ask questions that may elicit responses against Stanish or Wright; clearly if there were shredded documents, it would not have been directed by Desai. Mr. Staudaher stated he would like to discuss the chronology of shredding at a later time. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. OUTSIDE THE PRESENCE OF THE JURY. Juror Booker questioned outside the presence of the jury regarding being contacted by one of the witnesses she had been acquainted with quite awhile ago. Upon Court's inquiry she said she could listen to his testimony without prejudice. CONFERENCE AT BENCH. OUTSIDE THE PRESENCE OF THE JURY. Pursuant to statement by Mr. Santacroce Juror Martin was questioned outside the presence of the jury. Upon Court's inquiry, Ms. Martin stated that Mr. Vandruff was talking about his mother who died recently. He said he didn't recognize her and there was no discussion about the testimony. Colloquy regarding scheduling. IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet. Evening recess. MATTER CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 24, 2013**

10C265107-1

The State of Nevada vs Dipak K Desai

May 24, 2013**9:00 AM****Jury Trial****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Denise Husted**RECORDER:** Janie Olsen**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Michael Staudaher and Pam Weckerly appearing for the State. Richard Wright and Margaret Stanish appearing for Defendant Dipak Desai and Frederick Santacroce appearing for Defendant Ronald Lakeman.

IN THE PRESENCE OF THE JURY. Testimony and exhibits presented per worksheet.
Evening recess. MATTER CONTINUED.