

IN THE SUPREME COURT OF THE STATE OF NEVADA

Estate of MARY CURTIS, deceased;
LAURA LATRENTA, as Personal
Representative of the Estate of MARY
CURTIS; and LAURA LATRENTA,
individually, Plaintiffs/Appellants,

Appellants,

vs.

SOUTH LAS VEGAS MEDICAL
INVESTORS, LLC dba LIFE CARE
CENTER OF SOUTH LAS VEGAS
f/k/a LIFE CARE CENTER OF
PARADISE VALLEY; SOUTH LAS
VEGAS INVESTORS LIMITED
PARTNERSHIP; LIFE CARE
CENTERS OF AMERICA, INC.; and
CARL WAGNER, Administrator
inclusive,

Respondents.

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District Court Case No. A750520

SUPPLEMENTAL APPENDIX – VOLUME I (SA313-323)

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CHRONOLOGICAL AND ALPHABETICAL INDEX

Date Filed	Description	Volume	Page Nos.:
09/21/2018	Excerpt from the Appendix of Exhibits to Plaintiffs' Motion for Prima Facie Claims for Punitive Damages	III	SA313-323

CERTIFICATE OF SERVICE

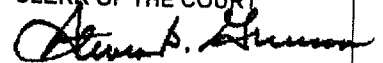
Pursuant to NRAP 25(c)(1)(B), I certify that I am an employee of Kolesar & Leatham and on the 15th day of November, 2019, I submitted the foregoing **SUPPLEMENTAL APPENDIX – VOLUME I (SA313-323)** to the Supreme Court of Nevada’s electronic docket for filing and service upon the following:

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DISTRICT COURT
CLARK COUNTY, NEVADA

15 Estate of MARY CURTIS, deceased; LAURA
16 LATRENTA, as Personal Representative of the
17 Estate of MARY CURTIS; and LAURA
LATRENTA, individually,

18 Plaintiffs,

19 vs.

20 SOUTH LAS VEGAS MEDICAL
INVESTORS, LLC dba LIFE CARE CENTER
21 OF SOUTH LAS VEGAS f/k/a LIFE CARE
CENTER OF PARADISE VALLEY; SOUTH
22 LAS VEGAS INVESTORS LIMITED
PARTNERSHIP; LIFE CARE CENTERS OF
23 AMERICA, INC.; BINA HRIBIK PORTELLO,
Administrator; CARL WAGNER,
24 Administrator; and DOES 1-50, inclusive,

25 Defendants.

26 Estate of MARY CURTIS, deceased; LAURA
LATRENTA, as Personal Representative of the
27 Estate of MARY CURTIS; and LAURA
LATRENTA, individually,

28 Plaintiffs.

CASE NO. A-17-750520-C

DEPT NO. XVII

Consolidated with:
CASE NO. A-17-754013-C

**APPENDIX OF EXHIBITS TO
PLAINTIFFS' MOTION FOR PRIMA
FACIE CLAIM FOR PUNITIVE
DAMAGES**

vs.

SAMIR SAXENA, M.D.; ANNABELLE
SOCAOCO, N.P.; IPC HEALTHCARE, INC.
aka THE HOSPITALIST COMPANY, INC.;
INPATIENT CONSULTANTS OF NEVADA,
INC.; IPC HEALTHCARE SERVICES OF
NEVADA, INC.; HOSPITALISTS OF
NEVADA, INC.; and DOES 51-100,

Defendant.

**APPENDIX TO PLAINTIFFS' MOTION FOR PRIMA FACIE CLAIM FOR
PUNITIVE DAMAGES**

Exhibits	Document Description	Page No(s).
1.	Photograph	1-2
2.	OT Plan of Treatment	3-4
3.	Progress Notes	5-7
4.	Discharge Summary	8-9
5.	Floor Plan	10-11
6.	Nursing Assessment	12-14
7.	MDS	15-19
8.	Deposition of Loretta Chatman	20-23
9.	LCC Fall Incident Report	24-29
10.	Non-Pressure Skin Condition Record	30-32
11.	Deposition of Regina Ramos	33-37
12.	Interim Care Plan	38-39
13.	Dawson Statement	40-41
14.	Deposition of Meseret Werago	42-49
15.	Deposition of Ersheila D. Dawson	50-59
16.	LCC Medical Incident Report	60-63
17.	Dawson Employee File	64-65
18.	Deposition of Thelma B. Olea	66-85

**APPENDIX TO PLAINTIFFS' MOTION FOR PRIMA FACIE CLAIM FOR
PUNITIVE DAMAGES**

Exhibits	Document Description	Page No(s).
19.	Deposition of Cecilia Sansome	86-102
20.	Telephone Orders	103-105
21.	Deposition of Annabelle Socaoco, N.P.	106-112
22.	Deposition of Laura Latrenta	113-118
23.	Post Acute Treatment Note	119-120
24.	OT Daily Treatment Note	121-122
25.	PT Daily Treatment Note	123-124
26.	EMS Report	125-128
27.	SBAR Communication Form	129-131
28.	Deposition of Tessie Hecht	132-154
29.	Transfer Form	155-156
30.	Sunrise Hospital and Medical Center History and Physical	157-159
31.	Sunrise Hospital and Medical Center Discharge Summary	160-161
32.	Neurological Consultation Note	162-169
33.	Death Certificate	170-171
34.	Autopsy Report	172-174
35.	Toxicology Report	175-178
36.	Deposition of Isabella Reyes	179-182
37.	Neurological Assessment Flow Sheet	183-185
38.	Vital Sign Flow Sheet	186-187
39.	Deposition of Mariver Delloro	188-192
40.	Deposition of Debra Johnson	193-195
41.	Deposition of Cherry Uy	196-201
42.	Regional Director of Clinical Services Facility Visit Report (Jan. 18, 2016)	202-203

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**APPENDIX TO PLAINTIFFS' MOTION FOR PRIMA FACIE CLAIM FOR
 PUNITIVE DAMAGES**

Exhibits	Document Description	Page No(s).
43.	Regional Director of Clinical Services Facility Visit Report (Feb. 25, 2016)	204-205
44.	Regional Director of Clinical Services Facility Visit Report (Mar. 8, 2016)	206-207
45.	Change of Condition	208-210
46.	Survey (Apr. 21, 2016)	211-224
47.	Survey (Mar. 13, 2015)	225-236
48.	Deposition of Samir Saxena, M.D.	237-240
49.	Deposition of Machelie Lynette Harris	241-243
50.	Deposition of Carl Wagner	244-249
51.	Preston/Hunter Letter (Dec. 8, 2015)	250-252
52.	Deposition of Connie Blackmore	253-256

DATED this 21st day of September, 2018.

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Kolesar & Leatham, and that on the 21st day of September, 2018, I caused to be served a true and correct copy of foregoing **APPENDIX OF EXHIBITS TO PLAINTIFFS' MOTION FOR PRIMA FACIE CLAIM FOR PUNITIVE DAMAGES** in the following manner:

(ELECTRONIC SERVICE) Pursuant to Administrative Order 14-2, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by that Court's facilities to those parties listed on the Court's Master Service List.

/s/ Kristina R. Cole

An Employee of KOLESAR & LEATHAM

EXHIBIT 41

DISTRICT COURT
CLARK COUNTY, NEVADA

Estate of MARY CURTIS,)
deceased; LAURA LATRENTA,)
as Personal Representative of)
the Estate of MARY CURTIS;)
and LAURA LATRENTA,)
individually,)

Plaintiffs,)

vs.)

Case No.
A-17-750520-C

SOUTH LAS VEGAS MEDICAL)
INVESTORS, LLC dba LIFE CARE)
CENTERS OF SOUTH LAS VEGAS)
f/k/a LIFE CARE CENTER OF)
PARADISE VALLEY; SOUTH LAS)
VEGAS INVESTORS LIMITED)
PARTNERSHIP; et al.,)

Defendants.)

DEPOSITION OF CHERRY UY
THURSDAY, DECEMBER 7, 2017
LAS VEGAS, NEVADA

REPORTED BY:
KENDALL D. HEATH
NEV. CCR NO. 475
CALIF. CSR NO. 11861
JOB NO.: 2759312
PAGES 1 - 25

1 during 2016, the early part.

2 Were you working full-time?

3 A Full-time, yes.

4 Q What shift were you working?

5 A On my first year, I'm night shift, then the
6 next year P.M. shift.

7 Q By the P.M. shift, would that be the evening
8 shift?

9 A Yeah, that's evening shift, 2:00 to 10:00.

10 Q Then night shift would be from 10:00 to 6:00?

11 A Yes, 10:00 to 6:00.

12 Q Were you working the 300 and the 400 unit?

13 A Yes. Sometimes I work in 200 and 100,
14 roaming around.

15 Q I know sometimes you would work in the 100
16 and the 200, but did you mainly work the 300 and
17 400?

18 A Yes, when I was doing night shift, I was
19 regular on 300.

20 Q Now, when you were working the night shift,
21 Life Care had you responsible for up to 25 residents;
22 am I correct?

23 A Yes. That's a lot.

24 Q That's a lot of residents to be assigned
25 to?

1 A Yeah.

2 Q Did you feel that this was too many
3 residents?

4 A Too many.

5 Q Did you bring it up to your nurse or your
6 supervisor that --

7 A Yeah. We talk about it, you know. That's
8 why I quit nights, it's a lot, really.

9 Q Was it difficult as a certified nursing
10 assistant when you had 25 residents?

11 A Very difficult.

12 Q Was it difficult to monitor and care for?

13 A Difficult.

14 Q Now, was it difficult because you're just one
15 person and you've got 25 different residents that
16 you've got --

17 A It's very difficult, especially when they are
18 a total care, total dependent. It's hard, that's why
19 I quit.

20 Q Did you think it was fair for you as an
21 employee for Life Care to assign you that many
22 residents?

23 MS. BROOKHYSER: I'm going to object to use
24 of the term of fair as vague.

25 THE WITNESS: We all have 25 patients, so

1 don't know you. I don't know her. I Googled her, so
2 it's Ms. Mary Curtis. I don't know you.

3 Q If you don't mind, just show you a photograph
4 of Mary.

5 A I have her photograph. I Googled it up. I'm
6 curious about it.

7 (Witness reviewing photo.)

8 I don't know, I really don't remember her.
9 Where was she at? 300? 400?

10 Q 300.

11 A I don't know, I don't really remember. I
12 think, and think about it, and I Googled her up. I
13 don't remember really.

14 Q Were you informed by the nurses that one of
15 the residents on the 300 hall, being Mary in this
16 case, about being provided morphine when it was meant
17 for a different resident?

18 A No, I don't know about that. We're nothing
19 to medicine. We're out of that, we're off. When it
20 comes to medicine, we're off. When it comes to I.V.,
21 we're off. The G tube we're off, we're totally off,
22 especially morphine.

23 Q Do you remember being advised that you would
24 have to closely monitor and supervise a resident
25 because they may have been overdosed on morphine? Did

1 that ever come up while you were working at Life
2 Care?

3 A No.

4 Q Now, I take it that would be something that
5 you would remember if you were told, Hey, Cherry, Mary
6 being the resident, had been given morphine which was
7 not meant for her, and we need you to closely monitor
8 her for side effects of the morphine.

9 You would remember that if you were told
10 that?

11 MS. BROOKHYSER: Calls for speculation.

12 THE WITNESS: No.

13 BY MS. BOSSIE:

14 Q I know you don't remember it, but if you were
15 told one of your residents may have been provided
16 morphine and having the side effects of a morphine
17 overdose?

18 A No. I told you, we're off when it comes to
19 medicine. We're only monitoring patients one-on-one
20 if they fall, always move a lot, that's it. But
21 medicine, no.

22 Q So you would not be monitoring a resident for
23 side effects of morphine?

24 A No. Fall risk, we're assigned one-on-one to
25 the patient if they are fall risk, that's No. 1.