

ALVERSON, TAYLOR, MORTENSEN & SANDERS  
LAWYERS  
7401 WEST CHARLESTON BOULEVARD  
LAS VEGAS, NEVADA 89117-1401  
(702) 384-7000

1 ALVERSON, TAYLOR,  
2 MORTENSEN & SANDERS  
3 LEANN SANDERS, ESQ.  
4 Nevada Bar No. 000390  
5 SHIRLEY BLAZICH, ESQ.  
6 Nevada Bar No. 008378  
7 7401 West Charleston Boulevard  
8 Las Vegas, NV 89117-1401  
9 (702) 384-7000  
10 Attorneys for Defendants  
11 TIEN CHANG WANG, M.D., and  
12 FREMONT EMERGENCY SERVICES

13 UNITED STATES DISTRICT COURT  
14 DISTRICT OF NEVADA

15 @

16 ERENDIRA ESPERANZA GUZMAN-IBARGUEN,  
17 individually; ERENDIRA MEJIA-GUZMAN,  
18 individually; MARIA FERNANDEZ MEJIA-  
19 GUZMAN, individually; TAMMY HARLESS,  
20 as Special Administrator for the Estate of  
21 OSCAR ANICETO MEJIA-ESTRADA,

22 Plaintiffs,

23 v.

24 SUNRISE HOSPITAL AND MEDICAL CENTER,  
25 LLC; OSCAR CHAVES, RN; NANCY BEASLEY,  
26 RN; ARLAMAY ROGERS, RN; LAUREN  
27 HENDRICKS, RN; MARCELINO A. TACADENA,  
28 RN; TINA HAYES, CNA; NURSE STRUASS, RN;  
TIEN CHANG WANG, M.D.; ANTHONY KEILY;  
JEFFREY JOHNSTON; SOUTHWEST  
EMERGENCY ASSOCIATES;  
DOES I-XX and ROES I-X,

Defendants.

Case No.: 2:10-cv-01983-PMP-GWF  
Case No.: 2:10-cv-01228-PMP-PAL

**CONSOLIDATED CASE NO.:**  
**2:10-cv-01228-PMP-PAL**

**MOTION TO WITHDRAW**  
**DEFENDANT FREMONT**  
**EMERGENCY SERVICES'**  
**MOTION FOR SUMMARY**  
**JUDGMENT**

26 COMES NOW, Defendant FREMONT EMERGENCY SERVICES by and through its  
27 attorneys of record, ALVERSON, TAYLOR, MORTENSEN & SANDERS, and hereby withdraws  
28

1 its Motion for Summary Judgment. This Motion is based upon the attached Points and Authorities,  
2 exhibits, and all other pleadings and papers on file herein, and any such oral argument as this  
3 Honorable Court may entertain if a hearing is scheduled for this matter.

4 DATED this 21 day of November, 2011.

5 ALVERSON, TAYLOR, MORTENSEN & SANDERS

6  
7  
8 By: 

9 LEANN SANDERS, ESQ.

10 Nevada Bar No. 000390

11 SHIRLEY BLAZICH, ESQ.

12 Nevada Bar No. 008378

13 7401 W. Charleston Boulevard

14 Las Vegas, NV 89117-1401

15 (702) 384-7000

16 Attorneys for Defendants

17 TIEN CHANG WANG., M.D., and

18 FREMONT EMERGENCY SERVICES

19 **MEMORANDUM OF POINTS AND AUTHORITIES**

20 I.

21 **ARGUMENT**

22 This is a medical malpractice case arising out of Defendant Fremont Emergency Services'  
23 treatment of decedent Oscar Aniceto Mejia-Estrada on July 27, 2008. Following the close of  
24 discovery in this matter, Defendant Fremont Emergency Services filed a Motion for Summary  
25 Judgment (Doc. #109) regarding Plaintiffs' claims on November 4, 2011. Thereafter, Plaintiffs  
26 agreed to stipulate to dismiss Defendant Fremont Emergency Services from this matter, with  
27 prejudice. On November 15, 2011, the Stipulation and Order to Dismiss Defendant Fremont  
28 Emergency Services (Doc. #113-114) was filed in the United States District Court for the District of  
Nevada, thereby dismissing Fremont Emergency from the instant case. See Exhibit A, attached  
hereto, Stipulation and Order to Dismiss Fremont Emergency Services. Therefore, Fremont

ALVERSON, TAYLOR, MORTENSEN & SANDERS  
LAWYERS  
7401 WEST CHARLESTON BOULEVARD  
LAS VEGAS, NEVADA 89117-1401  
(702) 384-7000

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Emergency Services moves to withdraw its Motion for Summary Judgment, as it is now moot.


II.

CONCLUSION

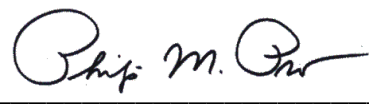
Based on the foregoing, Defendant Fremont Emergency Services respectfully moves to withdraw its Motion for Summary Judgment (Doc. #109), as Fremont Emergency Services has been dismissed from the instant action.

DATED this 21 day of November, 2011.

ALVERSON, TAYLOR, MORTENSEN & SANDERS

By:   
LEANN SANDERS, ESQ.  
Nevada Bar No. 000390  
SHIRLEY BLAZICH, ESQ.  
Nevada Bar No. 008378  
7401 W. Charleston Boulevard  
Las Vegas, NV 89117-1401  
(702) 384-7000  
Attorneys for Defendants  
TIEN CHANG WANG., M.D., and  
FREMONT EMERGENCY SERVICES

IT IS SO ORDERED.

  
PHILIP M. PRO  
UNITED STATES DISTRICT JUDGE

Dated: November 28, 2011.

ALVERSON, TAYLOR, MORTENSEN & SANDERS  
LAWYERS  
7401 WEST CHARLESTON BOULEVARD  
LAS VEGAS, NEVADA 89117-1401  
(702) 384-7000

CERTIFICATE OF SERVICE

I hereby certify, that on the 21<sup>st</sup> day of November, 2011, service of the foregoing

MOTION TO WITHDRAW DEFENDANT FREMONT EMERGENCY SERVICES'

MOTION FOR SUMMARY JUDGMENT, was made by U.S. Mail this date by mailing a true and

correct copy of the same to each party addressed as follows:

David F. Sampson, Esq.  
CHRISTENSEN LAW OFFICES, LLC  
1000 South Valley View  
Las Vegas, Nevada 89107  
*Attorneys for Plaintiffs*

Kenneth M. Webster, Esq.  
Michael T. Koptik, Esq.  
HALL PRANGLE & SCHOONVELD, LLC  
777 N. Rainbow Blvd., Suite 225  
Las Vegas, Nevada 89107  
*Attorneys for Defendants*  
*LAURA HENDRICKS, ANTHONY KEILY, VICKY*  
*STRAUSS, MARCELINO TACADENA, and*  
*OSCAR CHAVEZ*



An employee of  
ALVERSON, TAYLOR, MORTENSEN & SANDERS

EXHIBIT A

1 ALVERSON, TAYLOR,  
 2 MORTENSEN & SANDERS  
 3 LEANN SANDERS, ESQ.  
 Nevada Bar No. 000390  
 4 SHIRLEY BLAZICH, ESQ.  
 Nevada Bar No. 008378  
 5 7401 West Charleston Boulevard  
 Las Vegas, NV 89117-1401  
 6 (702) 384-7000  
 Attorneys for Defendants  
 7 TIEN CHANG WANG, M.D., and  
 8 FREMONT EMERGENCY SERVICES

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 @

12 ERENDIRA ESPERANZA GUZMAN-IBARGUEN,  
 individually; ERENDIRA MEJIA-GUZMAN,  
 13 individually; MARIA FERNANDEZ MEJIA-  
 GUZMAN, individually; TAMMY HARLESS,  
 14 as Special Administrator for the Estate of  
 OSCAR ANICETO MEJIA-ESTRADA,  
 15

16 Plaintiffs,

17 v.

18 SUNRISE HOSPITAL AND MEDICAL CENTER,  
 LLC; OSCAR CHAVES, RN; NANCY BEASLEY,  
 19 RN; ARLAMAY ROGERS, RN; LAUREN  
 HENDRICKS, RN; MARCELINO A. TACADENA,  
 20 RN; TINA HAYES, CNA; NURSE STRUASS, RN;  
 21 TIEN CHANG WANG, M.D.; ANTHONY KEILY;  
 JEFFREY JOHNSTON; SOUTHWEST  
 22 EMERGENCY ASSOCIATES;  
 DOES I-XX and ROES I-X,  
 23

24 Defendants.

Case No.: 2:10-cv-01983-PMP-GWF  
 Case No.: 2:10-cv-01228-PMP-PAI.

**CONSOLIDATED CASE NO.:**  
**2:10-cv-01228-PMP-PAL**

**STIPULATION AND ORDER TO**  
**DISMISS DEFENDANT**  
**FREMONT EMERGENCY**  
**SERVICES**

25 IT IS HEREBY STIPULATED and agreed by and between, Defendants TIEN CHANG  
 26 WANG, M.D. and FREMONT EMERGENCY SERVICES, by and through their attorneys of record,  
 27 ALVERSON, TAYLOR, MORTENSEN & SANDERS; Plaintiffs ERENDIRA ESPERANZA  
 28

ALVERSON, TAYLOR, MORTENSEN & SANDERS  
 LAWYERS  
 7401 WEST CHARLESTON BOULEVARD  
 LAS VEGAS, NEVADA 89117-1401  
 (702) 384-7000

1 GUZMAN-IBARGUEN, individually, ERENDIRA MEJIA-GUZMAN, individually, MARIA-  
 2 FERNANDEZ MEJIA-GUZMAN, individually, and TAMMY HARLESS, as Special Administrator  
 3 of the Estate of Oscar Aniceto Mejia-Estrada, by and through their counsel of record, David  
 4 Sampson, Esq., of the law firm CHRISTENSEN LAW OFFICES, LLC; and Defendants SUNRISE  
 5 HOSPITAL & MEDICAL CENTER, LLC, MARCELINO A. TACADENA, RN, TINA HAYES,  
 6 CNA and ANTHONY KELLY, by and through their counsel of record, Jonquil Urdaz, Esq., of the  
 7 law firm HALL PRANGLE & SCHOONVELD, LLC, as follows


8  
 9 Defendant FREMONT EMERGENCY SERVICES is DISMISSED, WITH PREJUDICE,  
 10 from the foregoing Consolidated Case No. 2:10-cv-01228-PMP-PAL, each party to bear their own  
 11 attorney's fees and costs.

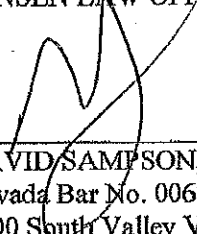
12  
 13 DATED this 15 day of November, 2011.

DATED this 8 day of November, 2011.

14  
 15 ALVERSON, TAYLOR,  
 MORTENSEN & SANDERS

CHRISTENSEN LAW OFFICES, LLC

16  
 17 By   
 LEANN SANDERS, ESQ.  
 18 Nevada Bar No. 000390  
 SHIRLEY BLAZICH, ESQ.  
 19 Las Vegas, NV 89101  
 Nevada Bar No. 008378  
 20 7401 West Charleston Boulevard  
 21 Las Vegas, Nevada 89117  
 Attorneys for Defendants  
 TIEN CHANG WANG., M.D., and  
 22 FREMONT EMERGENCY SERVICES  
 23

By   
 DAVID SAMPSON, ESQ.  
 24 Nevada Bar No. 006811  
 25 1000 South Valley View  
 26 Las Vegas, NV 89107  
 Attorneys for Plaintiffs  
 27  
 28

24 ///  
 25 ///  
 26 ///  
 27 ///  
 28 ///

ALVERSON, TAYLOR, MORTENSEN & SANDERS  
 LAWYERS  
 7401 WEST CHARLESTON BOULEVARD  
 LAS VEGAS, NEVADA 89117-1401  
 (702) 384-7000

1 DATED this 14 day of November, 2011.

2 HALL PRANGLE & SCHOONVELD, LLC

3 By  870-10783

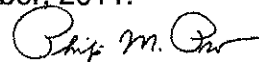
4 Kenneth M. Webster, Esq.  
5 Nevada Bar No. 007205  
6 Michael T. Koptik, Esq.  
7 Nevada Bar No. 008534  
8 777 N. Rainbow Blvd., Suite 225  
9 Las Vegas, Nevada 89107  
10 Attorneys for Defendants  
11 Sunrise Hospital & Medical Center, LLC,  
12 Laura Hendricks, Anthony Kelly, Vicky Strauss,  
13 Marcelino Tacadena, Oscar Chaves, and Tina Hayes

14 **ORDER**

15 Pursuant to the foregoing stipulation by counsel for all parties, good cause appearing  
16 therefore;

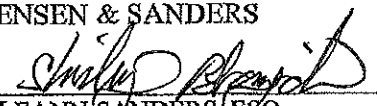
17 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that DEFENDANT FREMONT  
18 EMERGENCY SERVICES is DISMISSED, WITH PREJUDICE, from the foregoing Consolidated  
19 Case No. 2:10-cv-01228-PMP-PAL, each party to bear their own attorney's fees and costs.

20 DATED this \_ 16th day of November, 2011.

21 

22 HONORABLE UNITED STATES JUDGE

23 Respectfully submitted,  
24 ALVERSON, TAYLOR,  
25 MORTENSEN & SANDERS

26 By   
27 LEANN SANDERS, ESQ.  
28 Nevada Bar No. 000390  
SHIRLEY BLAZICH, ESQ.  
Nevada Bar No. 008378  
7401 W. Charleston Boulevard  
Las Vegas, NV 89117-1401  
(702) 384-7000  
Attorneys for Defendants  
TIEN CHANG WANG., M.D., and  
FREMONT EMERGENCY SERVICES

n:\leann.grpcases\18273\pleadings\sno - dlmiss fes.doc

ALVERSON, TAYLOR, MORTENSEN & SANDERS  
LAWYERS  
7401 WEST CHARLESTON BOULEVARD  
LAS VEGAS, NEVADA 89117-1401  
(702) 384-7000