

SANTORO, DRIGGS, WALCH,
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10 *Attorney for Clients, Henry Chanin, et al. Represented by Mainor Eglet*

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 In re:
14 ENDOSCOPY CENTER OF SOUTHERN
NEVADA,
15
16 Debtor.

17 CLIENTS, HENRY CHANIN, ET AL,
REPRESENTED BY MAINOR EGLET,
18 Appellants,
19 vs.
20 ENDOSCOPY CENTER OF SOUTHERN
NEVADA, LLC, a Nevada limited liability co.
21 AND BRIAN D. SHAPIRO, Trustee
22 Appellees.

Bankruptcy Case No. BK-S 09-22780-MKN
Chapter 7
Appeal Reference Number 12-06

Case No. 2:12-cv-00166-JCM-PAL

**STIPULATION AND
ORDER DISMISSING BANKRUPTCY
APPEAL**

24 Ogonna M. Atamoh, Esq., of the law firm of SANTORO, DRIGGS, WALCH,
25 KEARNEY, HOLLEY & THOMPSON, and Artemus W. Ham, Esq. of the law firm of
26 MAINOR EGLET, attorneys for the Clients, the Infected and Non-infected Clients of the Debtor
27 Clinics that are Represented by Mainor Eglet ("Clients"), by and through their undersigned
28 counsel, Cecilia Lee, Esq., attorney for Nevada Mutual Insurance Company, and Andrew Baxter



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Ryan, Esq., of the law firm DIAMOND MCCARTHY LLP, attorneys for Brian D. Shapiro
Trustee, hereby stipulate and agree as follows:

WHEREAS,

1. On January 31, 2012, the Clients filed in the Bankruptcy Court, in Case No. BK-S
09-22780-MKN, a *Notice of Appeal with Certificate of Service and Notice of Election to Have
Appeal Heard by United States District Court Pursuant to 28 U.S.C. § 158(c)(1)(A) with
Certificate of Service*, and on February 3, 2012, the Clients filed in the District Court in the
current case, Case No. 2:12-cv-00166-JCM-PAL, an *Amended Notice of Bankruptcy Appeal* (the
“Notice of Appeal”); and

2. Fed. R. Bankr. P. 8001(c)(2) allows dismissal of an appeal from the Bankruptcy
Court upon stipulation of all parties to the appeal;

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ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED THAT:

1. The current appeal from the Bankruptcy Court's order dated January 17, 2012, Case No. BK-S 09-22780-MKN, should be dismissed upon approval of this Stipulation and Order of this Court.


2. To the extent any court costs or fees are due to the Court pursuant to FRBP 8001(c)(2), the Clients shall pay such court costs or fees.

3. With the exception of Paragraph 2 above, all parties are to bear their own fees and costs in connection with the above-captioned appeal.

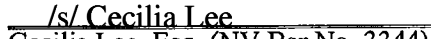
Dated this _____ day of March, 2012.

**SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON**

CECILIA LEE, LTD.



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*Attorney for Nevada Mutual Insurance
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*Attorneys for Clients, Henry Chanin, et al.
Represented by Mainor Eglet*

DIAMOND MCCARTHY LLP



Andrew Baxter Ryan (Admitted *Pro Hac Vice*)
1201 Elm Street, Suite 3400
Dallas, TX 75270

Attorneys for Brian D. Shapiro Trustee

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATED: March 7, 2012



CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I certify that on the 5th day of March, 2012, I caused the document entitled **MOTION TO DISMISS BANKRUPTCY APPEAL**, to be served as follows:


Attorneys of Record	Parties Represented	Method of Service
JOHN T HANSEN JOHN HANSEN LAW FIRM 101 HOWARD STREET, STE 310 SAN FRANCISCO, CA 94105 (510) 538-9233 (fax) jhansenlaw101@gmail.com	Endoscopy Center of Southern Nevada, LLC	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery
ANDREW BAXTER RYAN DIAMOND MCCARTHY LLP 1201 ELM STREET, STE 3400 DALLAS, TX 75270 (214) 389-5399 (fax) aryan@diamondmccarthy.com edolghih@diamondmccarthy.com	Brian D. Shapiro Trustee	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery
KYUNG S LEE JASON M. RUDD DIAMOND MCCARTHY LLP 909 FANNIN SUITE 1500 HOUSTON, TX 77010 (713) 333-5195 (fax) klee@diamondmccarthy.com jrudd@diamondmccarthy.com	Brian D. Shapiro, Trustee	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery
BART K. LARSEN 400 SOUTH RAMPART BOULEVARD SUITE 400 LAS VEGAS, NV 89145 (702) 362-9472 (fax) blarsen@klnevada.com	Official Committee of Unsecured Clients of Dipak Desai	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery



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Attorneys of Record	Parties Represented	Method of Service
NATALIE M. COX KOLESAR & LEATHAM 400 S. RAMPART BOULEVARD LAS VEGAS, NV 89145 702 362-1281 (fax) Email: ncox@klnevada.com	Official Committee of Unsecured Clients of Dipak Desai	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery
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Dated this 5th day of March, 2012.



 An employee of Santoro, Driggs, Walch,
 Kearney, Holley & Thompson