

1 ALVERSON, TAYLOR,
 2 MORTENSEN & SANDERS
 3 LEANN SANDERS, ESQ.
 Nevada Bar No.: 000390
 4 SHIRLEY BLAZICH, ESQ.
 Nevada Bar No.: 008378
 5 7401 W. Charleston Boulevard
 Las Vegas, Nevada 89117
 6 (702) 384-7000
 Attorneys for Defendant
 7 MICHAEL SCHEIDLER, M.D.

8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

>0<

10 SCOTT JOHNSON, CHRISTINE JOHNSON,)
 11 CHAD JOHNSON, DEREK BRYDE)
 12 JOHNSON, Decedent,)

Case No.: 2:13-cv-00641-RFB-NJK

13 Plaintiffs,)

DEFENDANT MICHAEL
SCHEIDLER, M.D.'S MOTION FOR
REMOVAL FROM SERVICE LIST

14 vs.)

15 JONATHAN BERNSTEIN, ALAN IKEDA,)
 16 JENNIFER BUITRAGO-IKEDA, WENDY)
 17 DAHL, ANNETTE LOGAN, SAMUEL)
 18 ESPARZA, JEREMY LOGAN, MARY WARREN)
 d/d/a CHILDREN'S SPECIALTY CENTER OF)
 19 NEVADA; JONATHAN BERNSTEIN, LTD.,)
 NDHINA NHLANE, LISA JOHNSON, FARZ)
 20 NOROZIAN, CHARLES HUGHES, MARC)
 O'CONNOR, SUNRISE HOSPITAL AND)
 21 MEDICAL CENTER LLC, ST. ROSE)
 DOMINICAN HOSPITAL SIENA CAMPUS,)
 22 d/b/a CATHOLIC HEALTHCARE WEST,)
 ROBERT KNOBLOCK OF LABORATORY)
 23 MEDICAL CONSULTANTS, LTD., THEODORE)
 MOORE, BERKLEY BROWN d/b/a UCLA)
 24 DEPT. OF PEDIATRICS GRP PRACTICE AND)
 THE REGENTS OF THE UNIVERSITY OF)
 25 CALIFORNIA, UCLA LOS ANGELES MATTEL,)
 26 SUMMERLIN HOSPITAL MEDICAL CENTER)
 LLC,)

27 Defendants.)
28)

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

MEMORANDUM OF POINTS & AUTHORITIES

1
2 Plaintiffs filed their Complaint on April 16, 2013 in the United States District Court for the
3 District of Nevada. (See Document No. 1). After filing their Complaint, Plaintiffs failed to timely
4 serve the Summons and Complaint upon virtually all of the Defendants. On April 15, 2014,
5 Defendant Michael Scheidler, M.D. filed a Motion to Quash Improper Service Attempt and Motion
6 to Dismiss for Failure to State a Claim (See Document Nos. 78 and 79, attached hereto as **Exhibit**
7 **A**). On May 2, 2014, Plaintiff filed a Notice of Non-Opposition to these Motions to Quash and to
8 Dismiss (See Document No. 97, attached hereto as **Exhibit B**). Next, on May 7, 2014, United States
9 Magistrate Judge Nancy J. Koppe issued the Report and Recommendation (Document No. 103,
10 attached hereto as **Exhibit C**), wherein the Court construed Plaintiff's filing of the Notice of Non-
11 Opposition as a Notice of Dismissal regarding nominal Defendant Michael Scheidler, M.D. Eight
12 months later, on January 20, 2015, no objection had been filed, and the Court reviewed this matter,
13 and accepted and adopted Magistrate Judge Koppe's Report and Recommendation (See Document
14 No. 150, attached hereto as **Exhibit D**). According to the Order Adopting Report and
15 Recommendation, Defendant Michael Scheidler, M.D. has been dismissed, and the Motions to
16 Quash and to Dismiss, Document Nos. 78 and 79 were denied as moot.
17
18
19

20 ///

21 ///

22 ///

23

24

25

26

27

28

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

CONCLUSION

Based on the foregoing, Defendant Michael Scheidler, M.D., respectfully requests that this Court remove him, and his counsel from the service list for this case, as he is no longer a defendant in this case.

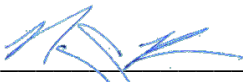
DATED this 11 day of February, 2015.

ALVERSON, TAYLOR, MORTENSEN & SANDERS

By 
LEANN SANDERS, ESQ.

Nevada Bar No.: 000390
SHIRLEY BLAZICH, ESQ.
Nevada Bar No.: 008378
7401 West Charleston Boulevard
Las Vegas, Nevada 89117
Attorneys for Defendant
MICHAEL SCHEIDLER, M.D.

IT IS SO ORDERED.
DATED: February 18, 2015


NANCY J. KOPPE
United States Magistrate Judge