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Health and Welfare Trust and Defendant Wilson-
 9 *McShane Corporation*

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12
 13 GLEN LERNER INJURY ATTORNEYS, a
 Nevada Corporation,
 14
 Plaintiff,

15 v.
 16

17 LAKE MEAD EMERGENCY PHYSICIANS,
 LLC, a Nevada Limited Liability Company;
 18 CMRE FINANCIAL SERVICES, INC., a
 California Corporation; NORTH VISTA
 19 HOSPITAL, INC., a Delaware Corporation;
 20 ORSOSITO, LIMITED LIABILITY COMPANY,
 a Nevada Limited Liability Company d/b/a
 21 COMPLETE CARE MEDICAL CENTER;
 JAGET, LTD., a Nevada Corporation d/b/a
 22 SPINAL REHABILITATION CENTERS; CHW
 NEVADA IMAGING COMPANY, LLC, a
 23 Nevada Limited Liability Company d/b/a
 NEVADA IMAGING CENTERS;
 24 HEALTHCARE SYSTEMS, INC., a Washington
 Corporation d/b/a HSI; AGATA-VENGER
 25 PARTNERSHIP, LLP, a Nevada Limited
 Liability Partnership d/b/a WESTERN
 26 REGIONAL CENTER FOR BRAIN AND SPINE
 27 SURGERY; CLARK COUNTY COLLECTION
 28 SERVICE, LLC, a Nevada Limited Liability
 Company; SUNRISE MOUNTAINVIEW

CASE NO. 2:13-cv-00896-APG-GWF

**ORDER GRANTING WILSON-
 MCSHANE CORPORATION'S
 MOTION FOR EXTENSION OF TIME
 FOR SERVICE OF PROCESS AND
 FOR SERVICE BY PUBLICATION**

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1 HOSPITAL, INC., a Nevada Corporation; WEST
2 VALLEY IMAGING LIMITED PARTNERSHIP,
3 a Nevada Limited Partnership; NEVADA
4 CREDICO, INC., a Nevada Corporation d/b/a
5 QUANTUM COLLECTIONS; CENTENNIAL
6 PAIN RELIEF NETWORK, INC., a Nevada
7 Corporation d/b/a CENTENNIAL SPINE &
8 PAIN; MOUNTAIN REHABILITATION
9 SERVICES; MOIHARWIN DIVERSIFIED
10 CORPORATION, a Nevada Corporation d/b/a
11 VEGAS VALLEY COLLECTION SERVICE;
12 LAS VEGAS NEUROSURGERY
13 ORTHOPAEDICS AND REHABILITATION,
14 LLP, a Nevada Limited Liability Partnership;
15 DESERT ORTHOPAEDIC CENTER, LTD., a
16 Nevada Corporation; ORTHOPAEDIC MOTION,
17 INC., a Nevada Corporation; CANYON
18 MEDICAL BILLING, LLC, a Nevada Limited
19 Liability Company; MED-CARE SOLUTIONS,
20 LLC, a Nevada Limited Liability Company; NEW
21 CENTURY REHABILITATION, LLC, Nevada
22 Limited Liability Company d/b/a MATT SMITH
23 PHYSICAL THERAPY; SDMI LIMITED
24 PARTNERSHIP, a Nevada Limited Partnership
25 d/b/a STEINBERG DIAGNOSTICS; KEY
26 HEALTH MEDICAL SOLUTIONS, INC., a
27 California Corporation; RED ROCK
28 DIAGNOSTICS, a Nevada Limited Liability
Company; BRIAN A. LEMPER, D.O., a Nevada
Corporation; CARE REHAB AND
ORTHOPAEDIC PRODUCTS, INC., a Virginia
Corporation d/b/a/ PROGENIX; JOSEPH J.
SCHIFINI, M.D., LTD., a Nevada Corporation;
RADAR MEDICAL GROUP, LLP, a Nevada
Limited Liability Partnership; DIAGNOSTIC
IMAGING OF SOUTHERN NEVADA LIMITED
PARTNERSHIP, a Nevada Limited Partnership;
INSTITUTE OF ORTHOPAEDIC SURGERY,
LLC, a Nevada Limited Liability Company;
NEVADA ORTHOPAEDIC & SPINE CENTER,
LLP, a Nevada Limited Liability Partnership;
JEFFREY D. GROSS, M.D., INC., a California
Corporation d/b/a COMPREHENSIVE INJURY
INSTITUTE; OASIS WELLNESS CENTER,
LLC, a California Limited Liability Corporation;
PAIN INSTITUTE OF NEVADA, INC., Nevada
Corporation; JORGENSEN & KOKA, LLP, a
Nevada Limited Liability Partnership d/b/a

1 PRIMARY CARE CONSULTANTS; CARDIO
2 VASCULAR PLUS, INC., a California
3 Corporation; NATIONWIDE CREDIT
4 RECOVERY, a California corporation; TOM
5 BROOKS LLC, a Nevada Limited Liability
6 Company d/b/a TOM BROOKS PHYSICAL
7 THERAPY & SPORTS MEDICINE; PRACTICE
8 ADMINISTRATIVE CONSULTANTS, a
9 California Corporation d/b/a COAST
10 RADIOLOGY AND IMAGING; DIOGENES
11 ANESTHESIA MEDICAL GROUP, INC., a
12 California Corporation; NATIONAL INTRA-
13 OPERATIVE MONITORING; PACIFIC
14 HOSPITAL OF LONG BEACH; JOJASO
15 MANAGEMENT, INC., a Nevada Corporation;
16 PROGRESSIVE MOTION, INC., a Nevada
17 Corporation; MEDICAL INVESTMENT, INC., a
18 Nevada Corporation d/b/a PURE MEDICAL
19 EQUIPMENT; VALLEY VIEW SURGERY
20 CENTER, LIMITED PARTNERSHIP, a Nevada
21 Limited Partnership d/b/a MEDICAL DISTRICT
22 SURGERY; MISSION HEALTHCARE
23 SERVICES, INC., a California Corporation; LAS
24 VEGAS RADIOLOGY, LLC, a Nevada Limited
25 Liability Company; MEDICAL STRATEGY
26 MANAGEMENT, INC., a Nevada Corporation;
27 LUKE R. WATSON, M.D., INC., a California
28 Corporation; WILSON-MCSHANE
CORPORATION, a Minnesota Corporation; ACS
RECOVERY SERVICES, INC., an Illinois
Corporation; HEALTH PLAN OF NEVADA,
INC., a Nevada Corporation; DOES I-V; and ROE
CORPORATIONS I-V;

Defendants.

WILSON-MCSHANE CORPORATION, a
Minnesota Corporation,

Counterplaintiff,

v.

GLEN LERNER INJURY ATTORNEYS, a
Nevada Corporation,

Counterdefendant.

1
2 WILSON-MCSHANE CORPORATION, a
3 Minnesota Corporation,
4 Third Party Plaintiff,
5 v.
6 DINA HAMILTON, an individual
7 Third Party Defendant.

8 This matter comes before the Court on Third Party Plaintiff Wilson-McShane
9 Corporation's ("Wilson") Motion for Extension of Time and Service by Publication. The current
10 deadline for service of process is September 25, 2013. Wilson seeks an extension of the deadline
11 to December 24, 2013, and leave for service by publication. Nevada Rule of Civil Procedure
12 4(e)(1)(i) permits service by publication by court order if (1) the person cannot be found within
13 the state, (2) a cause of action exists against that person, and (3) the person is a necessary or
14 proper party to the action. Federal Rule of Civil Procedure 4(m) permits an extension of time for
15 service upon a showing of good cause. The Court finds Wilson has diligently attempted to serve
16 Defendant Dina Hamilton ("Hamilton"), a cause of action exists against Hamilton, and Hamilton
17 is a proper party to the action. The Court also finds Wilson established good cause for an
18 extension of time to permit service by publication.
19

20 Accordingly,

21
22 **IT IS HEREBY ORDERED** that Wilson's Motion for Extension of Time for Service of
23 Process and for Service by Publication **GRANTED**.


24 **IT IS FURTHER ORDERED** that the summons shall be published at least once a week
25 in the Nevada Legal News, for a total of four weeks.
26
27
28

1 **IT IS FURTHER ORDERED** that pursuant to Nevada Rule of Civil Procedure
2 4(e)(1)(iii), a copy of the summons and complaint be mailed to 3624 Iverson Lane, North Las
3 Vegas, Nevada 89032 via United States Postal Service First Class Mail.

4
5 **IT IS FURTHER ORDERED** that service shall be deemed complete at the expiration of
6 four weeks of publication in the Nevada Legal News or four weeks after mailing a copy of the
7 complaint and summons to 3624 Iverson Lane, North Las Vegas, Nevada 89032, whichever event
8 occurs later.

9
10 **IT IS FURTHER ORDERED** that the deadline to serve is extended ninety (90) days,
11 from September 25, 2013 to December 24, 2013.

12
13 DATED this 5th day of August, 2013.

14 
15 GEORGE FOLEY, JR.
16 United States Magistrate Judge

17 Submitted by:

18 BROWNSTEIN HYATT FARBER SCHRECK, LLP

19 /s/ Bryce C. Loveland

20 Adam P. Segal, Esq.

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