

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GREGORY W. ENTSMINGER,

Case No.: 3:16-cv-00555-MMD -WGC

Plaintiff,

Order

v.

Re: ECF No. 94

ARANAS, et. al.,

Defendants.

Before the court is Plaintiff's Motion-Suggestion to Substitute Names of Defendants under Federal Rule of Civil Procedure 25(d). He seeks to substitute in the names of defendants for the State officials who no longer hold elected office or have terminated their employment with the State insofar as those defendants are sued in their official capacities. Specifically he seeks to substitute in the following defendants in their official capacities only: (1) Michael Minev, M.D., in place of Romeo Aranas, M.D.; (2) Governor Steve Sisolak for Governor Brian Sandoval; (3) Attorney General Aaron Ford for Attorney General Adam Laxalt; (4) Governor's Chief of Staff Michelle White for former Governor's Chief of Staff Mike Willden; and (5) Director of Administration Patrick Cates for former Director of Administration Andrew Clinger.

"An action does not abate when a public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold office while the action is pending." Fed. R. Civ. P. 25(d). "The officer's successor is automatically substituted as a party" and "[t]he court may order substitution at any time." *Id.*

Under Rule 25(d), Plaintiff's motion (ECF No. 94) is **GRANTED**. The following defendants will be substituted in their official capacities: Michael Minev, M.D., Governor

1 Steve Sisolak, Attorney General Aaron Ford, Governor's Chief of Staff Michelle White, and
2 Director of Administration Patrick Cates. As a result, Plaintiff is no longer proceeding against the
3 following defendants in their official capacities: (1) Romeo Aranas, M.D.; (2) Governor
4 Brian Sandoval; (3) Attorney General Adam Laxalt; (4) Governor's Chief of Staff Mike Willden;
5 and (5) Director of Administration Andrew Clinger.

6 Within **14 days** of the date of this Order, the Attorney General's Office shall file a notice
7 indicating whether it will accept service on behalf of these new defendants sued in their official
8 capacities only. For any of these defendants for whom the Attorney General's Office cannot accept
9 service, the last known address should be filed under seal.

10 **IT IS SO ORDERED.**

11 Dated: August 26, 2019

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13 William G. Cobb
14 United States Magistrate Judge
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