

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54351

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54358

FILED

SAI K LLC,
Appellant,
vs.
NGUYEN HUYNH AND THUY N. HUYNH,
Respondents.

FEB 11 2011

TRACIE A. LINDERMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54361

ENDOSCOPY CENTER OF SOUTHERN
NEVADA, LLC; GASTROENTEROLOGY
CENTER OF NEVADA, LLP; AND SAI K
LLC,
Appellants,

vs.
GWENDOLYN MARTIN AND LOVEY
MARTIN,
Respondents.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54362

JEFF KRUEGER, RN; PEGGY TAGLE, RN;
AND SAI K LLC,
Appellants,
vs.
KENNETH J. NOGLE,
Respondent.

54587
11-04528

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54369

JEFF KRUEGER, RN; LINDA HUBBARD,
CRNA; AND SAI K LLC,
Appellants,

vs.

SHARON ROYLANCE,
Respondent.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54370

JEFF KRUEGER, RN; JANINE DRURY, RN;
LINDA HUBBARD, CRNA; AND SAI K LLC,
Appellants,

vs.

JULIE MENARD,
Respondent.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54371

SANJAY NAYYAR, M.D., AND SAI K LLC,
Appellants,

vs.

CAROLE GRUESKIN,
Respondent.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54372

ENDOSCOPY CENTER OF SOUTHERN
NEVADA, LLC; GASTROENTEROLOGY
CENTER OF NEVADA, LLP; AND JANINE
DRURY, RN,

Appellants,

vs.

MICHAEL WASHINGTON AND JOSEPHINE
WASHINGTON,

Respondents.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54379

JEFF KRUEGER, RN; AND VINCENT
MIONE, CRNA,

Appellants,

vs.

BONNIE J. BRUNSON AND CARL
BRUNSON,

Respondents.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54382

SAI K LLC,
Appellant,

vs.

STACY HUTCHINSON,

Respondent.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54586

SAI K LLC,
Appellant,

vs.

RODOLFO MEANA AND LINDA MEANA,
Respondents.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54587

JEFF KRUEGER, RN; PEGGY TAGLE, RN;
KEITH MATHAHS, CRNA; AND SAI K LLC,
Appellants,

vs.

SONIA ORELLANA-RIVERA AND SAMUEL
ALFARO-MARTINEZ,
Respondents.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54589

JANINE DRURY, RN,
Appellant,

vs.

JAMES WILLIAMS AND HEIDI HAMILTON,
Respondents.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54591

JEFF KRUEGER, RN, AND LINDA
HUBBARD, CRNA,

Appellants,

vs.

MARIA V. PAGAN,

Respondent.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54594

JEFF KRUEGER, RN; JANINE DRURY, RN;
VINCENT MIONE, CRNA; AND SAI K LLC,

Appellants,

vs.

RANDY L. VALIMONT AND VICTORIA
VALIMONT,

Respondents.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54595

JEFF KRUEGER, RN; LINDA MCGREEVY,
RN; LINDA HUBBARD, CRNA; AND SAI K
LLC,

Appellants,

vs.

BARBARA SUDMAN,

Respondent

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54596

JEFF KRUEGER, RN; LINDA HUBBARD,
CRNA; AND SAI K LLC,
Appellants,

vs.

DOLORES J. CAPPETTO,
Respondent

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54597

JEFF KRUEGER, RN; AND SAI K LLC,
Appellants,

vs.

DIANNA JEAN BONNER,
Respondent

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54600

JANINE DRURY, RN,
Appellant,

vs.

JOAN ALLEN AND KENNETH G. ALLEN,
Respondents.

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54601

JEFF KRUEGER, RN; AND VINCENT
MIONE, CRNA,

Appellants,

vs.

JUNE DOWNING,

Respondent

IN THE MATTER OF ENDOSCOPY CENTER
OF SOUTHERN NEVADA AND
ASSOCIATED BUSINESSES AND
COORDINATED CASES

No. 54604

KEITH MATHAHS, CRNA,

Appellant,

vs.

BARBARA MORGAN,

Respondent.

ORDER DISMISSING APPEALS AS TO CERTAIN PARTIES

These are appeals from a district court order denying a motion to change the place of trial. The appeals have been coordinated, through the master case pending in Docket No. 54351, but are not consolidated.

SAI K, LLC

On December 10, 2010, this court entered an order that, among other things, granted counsel for appellant SAI K, LLC's motion to withdraw as counsel of record. That order directed SAI K to retain new counsel and cause counsel to enter an appearance within 20 days of that order's date. Our December 10 order cautioned SAI K that, because a corporation may not appear in proper person or be represented by a nonattorney, Salman v. Newell, 110 Nev. 1333, 885 P.2d 607 (1994), if

counsel failed to enter an appearance on its behalf, its appeals would be dismissed. To date, no attorney has entered an appearance in this matter on SAI K's behalf. Accordingly, SAI K's appeals pending in Docket Nos. 54358, 54361, 54362, 54369, 54370, 54371, 54382, 54586, 54587, 54594, 54595, 54596, and 54597 are dismissed. As a result, the appeals pending in Docket Nos. 54358,¹ 54382, and 54586 are dismissed in their entirety.

Mootness

This court previously entered an order directing status reports from the appellants in these coordinated appeals regarding whether any and all claims, counterclaims, and cross-claims against them had been dismissed below, thereby rendering their appeals moot. See Personhood Nevada v. Bristol, 126 Nev. ___, ___, ___ P.3d ___, ___ (Adv. Op. No. 56, December 30, 2010) (stating that the duty of this court is to resolve actual controversies and not to render advisory opinions). Our December 10 order cautioned appellants that their failure to respond to this order may result in the dismissal of their appeals. In light of the responses filed in this court and the failure of certain appellants to respond as directed, the following appeals are dismissed as to the appellants set forth below.

¹Former appellant Nicolae Weisz, M.D., filed a status report in response to this court's December 10, 2010, order indicating that Weisz's appeal in Docket No. 54358 could be dismissed. As Weisz's appeal in this docket was previously dismissed by this court's December 10, 2010, order based on a prior status report submitted by Weisz, we take no action on this filing.

Docket No. 54369

The appeal filed by Jeff Krueger, RN, is dismissed based on the status report filed by Krueger. Additionally, the appeal of appellant Linda Hubbard, CRNA, is dismissed based on her failure to provide a status update with regard to this appeal.² As a result, this appeal is dismissed in its entirety.

Docket No. 54370

The appeals filed by Jeff Krueger, RN, Janine Drury, RN, and Linda Hubbard, CRNA, are dismissed based on the status reports filed by those parties. As a result, this appeal is dismissed in its entirety.

Docket No. 54372

The appeal filed by Janine Drury, RN, is dismissed based on the status report filed by Drury.

Docket No. 54587

The appeals filed by Jeff Krueger, RN, Peggy Tagle, RN, and Keith Mathahs, CRNA, are dismissed based on the status reports filed by those parties. As a result, this appeal is dismissed in its entirety.

Docket No. 54589

The appeal filed by Janine Drury, RN, is dismissed based on the status report filed by Drury. As a result, this appeal is dismissed in its entirety.

²Both the December 20 and December 29, 2010, status reports filed by Krueger contain a heading for a status update with regard to Hubbard's appeal in Docket No. 54369, but no such information is provided in that entry or anywhere else in the documents submitted by Hubbard. Instead, the entries merely state that "Respondent filed suit against numerous parties, including CRNA Appellant Lisa Franks." Franks, however, has not filed a notice of appeal in this case and is not a party to this appeal. As a result, no action need be taken as to Franks.

Docket No. 54591

The appeals filed by Jeff Krueger, RN, and Linda Hubbard, CRNA, are dismissed based on the status reports filed by those parties. As a result, this appeal is dismissed in its entirety.

Docket No. 54594

The appeals filed by Jeff Krueger, RN, and Vincent Mione, CRNA, are dismissed based on the status reports filed by those parties. Additionally, the appeal filed by Janine Drury, RN, is dismissed based on her failure to file a status report with regard to this appeal.³ As a result, this appeal is dismissed in its entirety.⁴

Docket No. 54595

The appeals filed by Jeff Krueger, RN, Linda McGreevy, RN, and Linda Hubbard, CRNA, are dismissed based on the status reports filed by those parties. As a result, this appeal is dismissed in its entirety.

Docket No. 54596

The appeals filed by Jeff Krueger, RN, and Linda Hubbard, CRNA, are dismissed based on the status reports filed by those parties. As a result, this appeal is dismissed in its entirety.

³Although Drury did file a status report with regard to her other appeals pending as part of this coordinated matter, this document does not provide a report with regard to the status of her appeal in Docket No. 54594.

⁴As Peggy Tagle, RN, is not a party to this appeal, we take no action with regard to the status report she submitted indicating that the claims against her in the underlying action had been dismissed.

Docket No. 54597

The appeal filed by Jeff Krueger, RN, is dismissed based on the status report filed by Krueger. As a result, this appeal is dismissed in its entirety.⁵

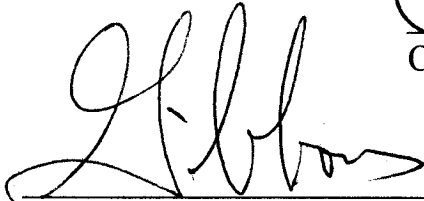
Docket No. 54600


The appeal filed by Janine Drury, RN, is dismissed based on the status report filed by Drury. As a result, this appeal is dismissed in its entirety.


Docket No. 54604

The appeal filed by Keith Mathahs, CRNA, is dismissed based on the status report filed by Mathahs. As a result, this appeal is dismissed in its entirety.

It is so ORDERED.⁶


Gibbons, J.


Cherry, J.


Pickering, J.

⁵As Keith Mathahs, CRNA, is not a party to this appeal, we take no action with regard to the status report he submitted indicating that the claims against him in the underlying action had been dismissed.

⁶The briefing schedule for this appeal shall remain suspended pending further order of this court. Additionally, the February 19, 2010, motion to transmit the “electronic record” is denied. To the extent that the DVDs at issue in that motion are properly part of the record on appeal, if appellants wish these materials to be considered in resolving their appeals, then they shall provide this court with copies of these materials when the briefing of these appeals resumes.

cc: Hon. Kathy A. Hardcastle, District Judge
Hon. Allan R. Earl, District Judge
Alverson Taylor Mortensen & Sanders
Ballard Spahr Andrews & Ingersoll, LLP
Bonne, Bridges, Mueller, O'Keefe & Nichols
Buckley King
Gittler & Bradford
Hutchison & Steffen, LLC
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
MacDonald Devin, PC/Dallas
Schuering Zimmerman Scully Tweedy & Doyle LLP
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas
Wright Stanish & Winckler
SAI K LLC
Craig P. Kenny & Associates
Edward M. Bernstein & Associates/Las Vegas
Gerald I. Gillock & Associates
Kemp, Jones & Coulthard, LLP
Mainor Eglet
Bruce T. Beesley
Kusum Desai
Lewis & Roca LLP/Reno
Eighth District Court Clerk