

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOSEPH K. DAUKSAVAGE,  
Appellant,  
vs.  
FRIEDA HULKA, M.D.,  
Respondent.

No. 67034

**FILED**

MAR 31 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Tracie K. Lindeman*  
DEPUTY CLERK

*ORDER DIRECTING TRANSMISSION OF RECORD  
AND DIRECTING RESPONSE TO CIVIL APPEAL STATEMENT*

We have reviewed the documents on file in this pro se appeal and conclude that our review of the complete record is warranted. NRAP 10(a)(1). Accordingly, within 15 days from the date of this order, the clerk of the district court shall transmit a certified copy of the trial court record in District Court Case No. CV1401120 to the clerk of the court. *See* NRAP 11(a)(2) (providing that the complete "record shall contain each and every paper, pleading and other document filed, or submitted for filing, in the district court," as well as "any previously prepared transcripts of the proceedings in the district court"). The record shall not include any exhibits filed in the district court. NRAP 11(a)(1).

Additionally, based upon our review of the civil appeal statement and the documents transmitted as part of this appeal, we conclude that a response is warranted. Accordingly, respondent shall have 40 days from the date of this order to file and serve a response, including points and authorities, addressing the issues raised in this appeal and the arguments made in appellant's civil appeal statement. In addition to addressing the specific issues and arguments presented in appellant's

appeal statement, respondent shall also address whether this case is distinguishable from *Born v. Eisenman*, 114 Nev. 854, 962 P.2d 1227 (1998), and *Johnson v. Egtedar*, 112 Nev. 428, 915 P.2d 271 (1996). Respondent's response shall not exceed 15 pages plus the attorney's certificate required by NRAP 28.2. The response need not include the table of contents and table of cases, statutes, and other authorities required by NRAP 28(b). Respondent's response may cite to either the record on appeal or any appendix filed with the response.

It is so ORDERED.<sup>1</sup>

 C.J.

cc: Joseph K. Dauksavage  
Lemons, Grundy & Eisenberg  
Washoe District Court Clerk

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<sup>1</sup>On December 19, 2014, appellant filed a request for a transcript of a hearing held on November 14, 2014, the day that the district court's order granting respondent's motion to dismiss was filed. Based on our review of the district court docket entries, however, it does not appear that a hearing took place on that date or that any hearing was held in conjunction with the district court's grant of respondent's motion to dismiss. Under these circumstances, appellant's transcript request must be denied.