

CLOSED

US District Court Electronic Case Filing System
District of Utah (Central)
CIVIL DOCKET FOR CASE #: 2:10-cv-00862-BSJ

Simuel v. Universal Health Services et al
Assigned to: Judge Bruce S. Jenkins
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 08/31/2010
Date Terminated: 08/13/2013
Jury Demand: Plaintiff
Nature of Suit: 360 P.I.: Other
Jurisdiction: Diversity

Plaintiff

Kasondra Simuel

*the natural parent, next friend, and legal
guardian of T.C., a minor*
TERMINATED: 07/23/2013

represented by **Jesse A. Froehling**
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Plaintiff

Families Advocate

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Shandor S. Badaruddin
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V.

Defendant

Universal Health Services
a Delaware Corporation

represented by **Eric P. Schoonveld**
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Defendant

UHS of Provo Canyon
a Delaware corporation

represented by **Eric P. Schoonveld**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen D. Alderman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tawni J. Anderson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Fitzpatrick
(See above for address)
PRO HAC VICE
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John P. Strelman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

UHS of Salt Lake City
a Delaware corporation

represented by **Eric P. Schoonveld**
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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Stephen D. Alderman

(See above for address)

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ATTORNEY TO BE NOTICED

John P. Strelman

(See above for address)

PRO HAC VICE

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Defendant

Cottonwood Treatment Center

a Utah d/b/a

represented by **Eric P. Schoonveld**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Stephen D. Alderman

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Tawni J. Anderson

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LEAD ATTORNEY

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John Michael Fitzpatrick

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PRO HAC VICE

ATTORNEY TO BE NOTICED

John P. Strelman

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
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| 08/31/2010 | 1 | Case has been indexed and assigned to Magistrate Judge Paul M. Warner. Plaintiff Kasondra Simuel is directed to E-File the <u>Complaint and cover sheet</u> (found under Complaints and Other Initiating Documents) and pay the filing fee of \$ 350 by the end of the business day. NOTE: The court will not have jurisdiction until the opening document is electronically filed and the filing fee paid in the CM/ECF system. Civil Summons may be issued electronically. Prepare the summons using the courts PDF version and email it to utdecf_clerk@utd.uscourts.gov for issuance. (jlw) (Entered: 08/31/2010) |
| 08/31/2010 | 2 | COMPLAINT <i>and Demand for Jury Trial</i> against Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services (Filing fee \$ 350, receipt number 1088-1186460), filed by Kasondra Simuel. (Attachments: # 1 Civil Cover Sheet Civil Cover Sheet) Assigned to Magistrate Judge Paul M. Warner (Badaruddin, Shandor) Modified on 8/31/2010 ; corrected receipt number from 251D674I to 1088-1186460 (asp). (Entered: 08/31/2010) |
| 09/22/2010 | 3 | WAIVER OF SERVICE Returned Executed filed by Kasondra Simuel as to Universal Health Services Waiver sent on 9/1/2010, answer due 11/1/2010. (Attachments: # 1 Exhibit 1)(Badaruddin, Shandor) (Entered: 09/22/2010) |
| 09/22/2010 | 4 | WAIVER OF SERVICE Returned Executed filed by Kasondra Simuel as to UHS of Provo Canyon Waiver sent on 9/1/2010, answer due 11/1/2010. (Attachments: # 1 1)(Badaruddin, Shandor) (Entered: 09/22/2010) |
| 09/22/2010 | 5 | WAIVER OF SERVICE Returned Executed filed by Kasondra Simuel as to UHS of Salt Lake City Waiver sent on 9/1/2010, answer due 11/1/2010. (Attachments: # 1 Exhibit 1)(Badaruddin, Shandor) (Entered: 09/22/2010) |
| 09/22/2010 | 6 | WAIVER OF SERVICE Returned Executed filed by Kasondra Simuel as to Cottonwood Treatment Center Waiver sent on 9/1/2010, answer due 11/1/2010. (Attachments: # 1 Exhibit 1)(Badaruddin, Shandor) (Entered: 09/22/2010) |
| 10/05/2010 | 7 | NOTICE of Appearance by Tawni J. Anderson on behalf of Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services (Anderson, Tawni) (Entered: 10/05/2010) |
| 10/05/2010 | 8 | NOTICE of Appearance by Eric P. Schoonveld on behalf of Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services (Schoonveld, Eric) (Entered: 10/05/2010) |
| 10/05/2010 | 9 | NOTICE of Appearance by Stephen D. Alderman on behalf of Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services (Alderman, Stephen) (Entered: 10/05/2010) |
| 10/29/2010 | 10 | ANSWER to Complaint filed by Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services.(Anderson, Tawni) (Entered: 10/29/2010) |
| 11/04/2010 | 11 | NOTICE - This case is assigned to a magistrate judge. To consent or request reassignment, use the form on this link or use the included form for non-filers and send it to consents@utd.uscourts.gov within 15 days or mail to the court with <i>Attention: Consent Clerk</i> on the envelope. |

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| | | Notice e-mailed or mailed to Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services, Plaintiff Kasondra Simuel. Form due by 11/19/2010. (jmr) (Entered: 11/04/2010) |
| 11/04/2010 | 12 | NOTICE OF ADR, e-mailed or mailed to Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services, Plaintiff Kasondra Simuel. (jmr) (Entered: 11/04/2010) |
| 11/10/2010 | 13 | NOTICE FROM THE COURT re: Initial Scheduling The court's IPT Clerk will now set the case for the Initial Pretrial Scheduling Conference (jmr) (Entered: 11/10/2010) |
| 11/16/2010 | 14 | <u>NOTICE OF INITIAL PRETRIAL CONFERENCE:</u> (Notice generated by Theresa Brown) The Attorneys Planning Meeting Report and Proposed Scheduling Order forms, available on the court web site at http://www.utd.uscourts.gov/documents/formpage.html , should be prepared 30 days before the Initial Pretrial Conference hearing date. <u>NOTICE TO COUNSEL,</u> The Court <i>may</i> enter a scheduling order and vacate the hearing <i>if</i> counsel (a) file a stipulated Attorneys Planning Meeting Report ; and (b) e-mail a Proposed Scheduling Order to ipt@utd.uscourts.gov 30 days before the scheduled hearing. See instructions at http://www.utd.uscourts.gov/documents/ipt.html Initial Pretrial Conference set for 1/12/2011 11:30 AM in Room 477 before Magistrate Judge David Nuffer. (tab) (Entered: 11/16/2010) |
| 11/19/2010 | 15 | NOTICE REMINDER - All parties are requested to respond within the time frame set forth in the 11 Notice of Presiding Magistrate Assignment,, pursuant to General Order 07-001. If you have already consented/objected, please disregard this notice. No judge will be informed of a party's response unless all parties have consented to the assignment of the matter to a U.S. Magistrate Judge. Unless consents from all parties are received within fifteen(15) days, the case will be randomly re-assigned to a U.S. District Judge without further notice. Link to Magistrate Consent Objection form (jmr) (Entered: 11/19/2010) |
| 11/19/2010 | 16 | RECEIVED Consent/Reassignment Form from Plaintiff Kasondra Simuel. (jmr) (Entered: 11/19/2010) |
| 11/23/2010 | 17 | RECEIVED Consent/Reassignment Form from Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (jmr) (Entered: 11/23/2010) |
| 11/23/2010 | 18 | All Consent/Reassignment Forms have now been received. After review of all forms, Case Reassigned to District Judge per request of one or more party(s). Case randomly assigned to Judge Bruce S. Jenkins. Magistrate Judge Paul M. Warner no longer assigned to the case. (jmr) (Entered: 11/23/2010) |
| 11/30/2010 | 19 | <u>NOTICE OF HEARING:</u> Status Report and Scheduling Conference set for 12/17/2010 01:20 PM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 11/30/2010) |

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| 12/16/2010 | 20 | NOTICE: VACATING IPT PREVIOUSLY SET FOR 01/12/11. This case has been transferred to Senior Judge Bruce S. Jenkins who does his own scheduling. (tab) (Entered: 12/16/2010) |
| 12/16/2010 | 21 | REPORT OF ATTORNEY PLANNING MEETING. (Badaruddin, Shandor) (Entered: 12/16/2010) |
| 12/17/2010 | 24 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Status Report & Scheduling Conference held on 12/17/2010. Discussion heard. Crt schedules:- All discovery (fact & expert) cutoff set 5/2/2012.- Final pretrial conference set 6/15/2012, at 9:30 AM.- Stip proposed final pretrial order due to chambers nlt 6/12/2012.Cnsl to prepare & submit order addressing confidentiality of involved minor(s) and scheduling order within 5 days. Attorney for Plaintiff: Shandor S. Badaruddin (via Phone), Attorney for Defendant: Tawni J. Anderson. Court Reporter: Karen Murakami.(Time Start: 1:20 PM, Time End: 1:40 PM, Room 420.) (mrw) (Entered: 01/04/2011) |
| 12/22/2010 | 22 | Stipulated MOTION for Scheduling Order filed by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) (Entered: 12/22/2010) |
| 12/23/2010 | 23 | SCHEDULING ORDER:(Amended Pleadings due by 2/28/2011., Joinder of Parties due by 2/28/2011., Motions due by 2/17/2012., Final Pretrial Conference set for 6/15/2012 09:30 AM in Room 420 before Judge Bruce S. Jenkins.). Signed by Judge Bruce S. Jenkins on 12/23/10. (jmr) (Entered: 12/23/2010) |
| 01/18/2011 | 25 | PROTECTIVE ORDER-re: Confidential information. Signed by Judge Bruce S. Jenkins on 1/18/11. (jmr) (Entered: 01/18/2011) |
| 04/15/2011 | 26 | MOTION for Admission Pro Hac Vice of John Michael Fitzpatrick, Registration fee \$ 15, receipt number 1088-1333479, filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit A - Application, # 2 Exhibit B - ECF)(Alderman, Stephen) (Entered: 04/15/2011) |
| 04/18/2011 | 27 | ORDER granting 26 Motion for Admission Pro Hac Vice of John Michael Fitzpatrick for Cottonwood Treatment Center,John Michael Fitzpatrick for UHS of Provo Canyon,John Michael Fitzpatrick for UHS of Salt Lake City,John Michael Fitzpatrick for Universal Health Services. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Bruce S. Jenkins on 4/18/11. (jmr) (Entered: 04/18/2011) |
| 05/24/2011 | 28 | MOTION for Admission Pro Hac Vice of John P. Strelman, Registration fee \$ 15, receipt number 1088-1357869, filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Text of Proposed Order)(Anderson, Tawni) (Entered: 05/24/2011) |
| 05/24/2011 | 29 | EXHIBITS filed by Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services re 28 MOTION for Admission Pro Hac Vice of John P. Strelman, Registration fee \$ 15, receipt number 1088-1357869,. (Attachments: # 1 Exhibit A: Application for Admission, # 2 Exhibit B: ECF Registration Form)(Anderson, Tawni) (Entered: 05/24/2011) |
| 05/25/2011 | 30 | ORDER granting 28 Motion for Admission Pro Hac Vice of John P. Strelman for Cottonwood Treatment Center,John P. Strelman for UHS of Provo Canyon,John P. |

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| | | Streelman for UHS of Salt Lake City,John P. Streelman for Universal Health Services. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Bruce S. Jenkins on 5/25/11. (jmr) (Entered: 05/26/2011) |
| 07/28/2011 | 31 | **RESTRICTED DOCUMENT** RETURN OF SERVICE Executed for Personal - <i>Subpoena to Appear at Deposition</i> served on Denise McMahan on 7/22/2011, filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Anderson, Tawni) (Entered: 07/28/2011) |
| 09/16/2011 | 32 | Stipulated MOTION Entry of Order to Obtain Records filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Text of Proposed Order)(Schoonveld, Eric) (Entered: 09/16/2011) |
| 09/16/2011 | 33 | STIPULATION re 32 Stipulated MOTION Entry of Order to Obtain Records by Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 09/16/2011) |
| 09/21/2011 | 34 | <u>NOTICE OF HEARING ON MOTION</u> re: 32 Stipulated MOTION Entry of Order to Obtain Records : Motion Hearing set for 9/29/2011 11:00 AM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 09/21/2011) |
| 09/29/2011 | 35 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Motion Hearing held on 9/29/2011 re 32 Stipulated MOTION Entry of Order to Obtain Records filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon. Argument & discussion heard. Crt rules:- Strikes, stipulated motion to obtain records.- Cnsl to research the reach of this Courts jurisdiction, in ordering records in Nevada. Attorney for Plaintiff: Shandor S. Badaruddin (via Phone), Attorney for Defendant: Tawni J. Anderson. Court Reporter: Clark Edwards.(Time Start: 11:00 AM, Time End: 11:15 AM, Room 230.) (mrw) (Entered: 10/13/2011) |
| 10/21/2011 | 36 | Defendant's MOTION for Summary Judgment filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Alderman, Stephen) (Entered: 10/21/2011) |
| 10/21/2011 | 37 | MEMORANDUM in Support re 36 Defendant's MOTION for Summary Judgment filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit A - TC, # 2 Exhibit A.1 - TC Angle, # 3 Exhibit B - Samiu Kutu, # 4 Exhibit C - Sammy Collier, # 5 Exhibit D - Siale (Charlie) Vainuku, # 6 Exhibit E - DR, # 7 Exhibit F - Wendy Klinski)(Alderman, Stephen) (Entered: 10/21/2011) |
| 10/21/2011 | 38 | NOTICE OF CONVENTIONAL FILING of Exhibit G to Defendant's Motion for Summary Judgment filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services re 37 Memorandum in Support of Motion, (<i>Surveillance Video</i>) (Alderman, Stephen) (Entered: 10/21/2011) |
| 10/21/2011 | 39 | EXHIBIT G is oversize and has been filed as a disc. filed by Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services re 37 Memorandum in Support of Motion,. This document will be retained permanently. (jmr) (Entered: 10/24/2011) |

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| 11/01/2011 | 40 | Plaintiff's MOTION for Extension of Time Disclosure of Expert Reports (<i>Unopposed</i>) filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Text of Proposed Order) (Badaruddin, Shandor) (Entered: 11/01/2011) |
| 11/03/2011 | 41 | ORDER GRANTING UNOPPOSED MOTION TO EXTEND TIME TO DISCLOSE EXPERT REPORTS-granting 40 Motion for Extension of Time. Signed by Judge Bruce S. Jenkins on 11/2/11. (jmr) (Entered: 11/03/2011) |
| 11/09/2011 | 42 | DESIGNATION OF EXPERTS Plaintiffs' Expert Witness Disclosure filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Exhibit Goodrich Report, Qualifications and Compensation, # 2 Exhibit Rosen Report, # 3 Exhibit Rosen Qualifications, # 4 Exhibit Compensation)(Badaruddin, Shandor) (Entered: 11/09/2011) |
| 11/18/2011 | 43 | MEMORANDUM in Opposition re 36 Defendant's MOTION for Summary Judgment filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Index to Exhibits, # 2 Exhibit Exhibit 1-outdoor policy, # 3 Exhibit Exhibit 2-Response to RTPS, # 4 Exhibit Exhibit 3-Staff Note, # 5 Exhibit Exhibit 4-Robbins Depo Excerpts, # 6 Exhibit Exhibit 5-Kutu Depo Excerpts, # 7 Exhibit Exhibit 6-Vainuku statment, # 8 Exhibit Exhibit 7-Vainuku Depo Excerpts, # 9 Exhibit Exhibit 8-Collier Depo Excerpts, # 10 Exhibit Exhibit 9-T.C. Depo Excerpts, # 11 Exhibit Exhibit 10-Klinski Depo Excerpts, # 12 Exhibit Exhibit 11-Collier Statement, # 13 Exhibit Exhibit 12-D.R. Depo Excerpts, # 14 Exhibit Exhibit 13-Hartnett Case)(Badaruddin, Shandor) (Entered: 11/18/2011) |
| 11/22/2011 | 44 | NOTICE OF HEARING ON MOTION re: 36 Defendant's MOTION for Summary Judgment : Motion Hearing set for 1/5/2011 01:30 PM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 11/22/2011) |
| 12/05/2011 | 45 | REPLY to Response to Motion re 36 Defendant's MOTION for Summary Judgment filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Alderman, Stephen) (Entered: 12/05/2011) |
| 12/09/2011 | 46 | MOTION for Extension of Time Disclosure of Expert Reports filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Text of Proposed Order)(Alderman, Stephen) (Entered: 12/09/2011) |
| 12/09/2011 | 47 | DESIGNATION OF EXPERTS Dr. David Bawden filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit Exhibit 1 - Dr. David Bawden Expert Report) (Alderman, Stephen) (Entered: 12/09/2011) |
| 12/13/2011 | 48 | ORDER Granting Unopposed Motion to Extend Time to Disclose Expert Reports-granting 46 Motion for Extension of Time. Signed by Judge Bruce S. Jenkins on 12/12/11. (jmr) (Entered: 12/13/2011) |
| 12/15/2011 | 49 | DESIGNATION OF EXPERTS Herbert Engelhard, MD filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit 1 - Expert Report of Dr. Herb Engelhard)(Alderman, Stephen) (Entered: 12/15/2011) |
| 01/03/2012 | 50 | MOTION to Exclude Defendants' Expert Witnesses filed by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) (Entered: 01/03/2012) |
| 01/03/2012 | 51 | MEMORANDUM in Support re 50 MOTION to Exclude Defendants' Expert Witnesses filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Exhibit Index to |

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| | | Exhibits, # 2 Exhibit 1, # 3 Exhibit 2)(Badaruddin, Shandor) (Entered: 01/03/2012) |
| 01/05/2012 | 52 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Motion Hearing held on 1/5/2012 re 36 Defendant's MOTION for Summary Judgment filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon. Argument & discussion heard. Crt rules:- Reserves (takes under advisement), motion for summary judgment. Attorney for Plaintiff: See Minute Entry, Attorney for Defendant: See Minute Entry. Court Reporter: Michelle Mallonee.(Time Start: 1:25 PM, Time End: 2:45 PM, Room 420.) (mrw) (Entered: 01/13/2012) |
| 01/17/2012 | 53 | MEMORANDUM in Opposition re 50 MOTION to Exclude Defendants' Expert Witnesses filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 01/17/2012) |
| 01/23/2012 | 54 | <u>NOTICE OF HEARING ON MOTION</u> re: 50 MOTION to Exclude Defendants' Expert Witnesses : Motion Hearing set for 2/24/2012 01:30 PM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 01/23/2012) |
| 01/27/2012 | 55 | REPLY to Response to Motion re 50 MOTION to Exclude Defendants' Expert Witnesses filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Exhibit 1800 contacts, # 2 Exhibit Kingston, # 3 Exhibit Timothy, # 4 Exhibit Richards)(Badaruddin, Shandor) (Entered: 01/27/2012) |
| 01/30/2012 | 56 | <u>AMENDED NOTICE OF HEARING ON MOTION</u> re: 50 MOTION to Exclude Defendants' Expert Witnesses : Motion Hearing set for 2/24/2012 11:15 AM in Room 420 before Judge Bruce S. Jenkins. PLEASE NOTE: TIME CHANGE ONLY. (kms) (Entered: 01/30/2012) |
| 02/16/2012 | 57 | MOTION to Exclude Defendants' Expert Bawden <i>Pursuant to FedREvid 702</i> filed by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) (Entered: 02/16/2012) |
| 02/16/2012 | 58 | MEMORANDUM in Support re 57 MOTION to Exclude Defendants' Expert Bawden <i>Pursuant to FedREvid 702</i> filed by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) (Entered: 02/16/2012) |
| 02/24/2012 | 62 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Motion Hearing held on 2/24/2012. Argument & discussion heard. Crt rules:- Denies, motion to exclude expert witness Herbert Engelhard, MD, in each instance. Mr. Streeleman to prepare & submit order. re 50 MOTION to Exclude Defendants' Expert Witnesses filed by Kasondra Simuel. Attorney for Plaintiff: See Minute Entry, Attorney for Defendant: See Minute Entry. Court Reporter: Patti Walker.(Time Start: 12:00 PM, Time End: 12:40 PM, Room 420.) (mrw) (Entered: 03/06/2012) |
| 03/01/2012 | 59 | ORDER on Plaintiff's Motion to Exclude Expert Witnesses-denying 50 Motion to Exclude. Signed by Judge Bruce S. Jenkins on 2/29/12. (jmr) (Entered: 03/01/2012) |
| 03/01/2012 | 60 | MEMORANDUM in Opposition re 57 MOTION to Exclude Defendants' Expert Bawden <i>Pursuant to FedREvid 702</i> filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit A - Bawden CV, # 2 Exhibit B - Bawden Declaration) (Schoonveld, Eric) (Entered: 03/01/2012) |
| 03/02/2012 | 61 | <u>NOTICE OF HEARING ON MOTION</u> re: 57 MOTION to Exclude Defendants' Expert Bawden <i>Pursuant to FedREvid 702</i> : Motion Hearing set for 4/10/2012 01:30 |

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| | | PM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 03/02/2012) |
| 03/14/2012 | 63 | REPLY to Response to Motion re 57 MOTION to Exclude Defendants' Expert Bawden Pursuant to FedREvid 702 filed by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) (Entered: 03/14/2012) |
| 04/10/2012 | 64 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Motion Hearing held on 4/10/2012. Argument & discussion heard. Crt rules:- Grants, in part (as to causation), denies as to (balance of motion) to exclude expert witness (#57).- Denies, motion for summary judgment, previously, under advisement. Mr. Schoonveld to prepare & submit proposed order within 7 days. re 57 MOTION to Exclude Defendants' Expert Bawden Pursuant to FedREvid 702 filed by Kasondra Simuel. Attorney for Plaintiff: See Minute Entry, Attorney for Defendant: See Minute Entry. Court Reporter: Kellie Peterson (Thacker). (Time Start: 1:30 PM, Time End: 2:25 PM, Room 420.) (mrw) (Entered: 04/19/2012) |
| 04/20/2012 | 65 | ORDER Denying Defendant's Motion for Summary Judgment and Notice of Pretrial Conference- Motions terminated: 36 Defendant's MOTION for Summary Judgment filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon., (Pretrial Order due by 6/12/2012., Pretrial Conference set for 6/15/2012 09:30 AM in Room 420 before Judge Bruce S. Jenkins.). Signed by Judge Bruce S. Jenkins on 4/20/12. (jmr) (Entered: 04/20/2012) |
| 04/20/2012 | 66 | Modification of Docket: Error: Incorrect Image was sent with Order 65 . Correction: image has now been corrected. re 65 Order, Terminate Motions, Set Deadlines/Hearings. (jmr) (Entered: 04/20/2012) |
| 04/20/2012 | 67 | ORDER-granting in part and denying in part 57 Motion to Exclude Defendants' Expert Bawden Pursuant to FedREvid 702 filed by Plaintiff Kasondra Simuel. IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (dkt. no. 36), previously under advisement, is DENIED. See order for details. Signed by Judge Bruce S. Jenkins on 4/20/12. (jmr) (Entered: 04/20/2012) |
| 06/12/2012 | 68 | MOTION in Limine (<i>Standard Motions in Limine</i>) filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 69 | MEMORANDUM in Support re 68 MOTION in Limine (<i>Standard Motions in Limine</i>) filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 70 | MOTION in Limine #2 to Exclude Plaintiff's Criticisms of Professional Operations filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 71 | MEMORANDUM in Support re 70 MOTION in Limine #2 to Exclude Plaintiff's Criticisms of Professional Operations filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 72 | MOTION in Limine #3 to Exclude Plaintiff's Criticisms of After-Care Provided filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |

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| 06/12/2012 | 73 | MEMORANDUM in Support re 72 MOTION in Limine #3 to Exclude Plaintiff's Criticisms of After-Care Provided filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit 1 - Simuel Dep, # 2 Exhibit 2 - DR, # 3 Exhibit 3 - TC, # 4 Exhibit 4 - Reichman)(Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 74 | MOTION in Limine #4 to Exclude Plaintiff's Criticisms re CTC Culture filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 75 | MEMORANDUM in Support re 74 MOTION in Limine #4 to Exclude Plaintiff's Criticisms re CTC Culture filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit 1 - Simuel Dep, # 2 Exhibit 2 - TC Dep, # 3 Exhibit 3 - Kutu Dep, # 4 Exhibit 4 - Vainuku Dep)(Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 76 | MOTION in Limine #5 to Exclude Opinions re Negligence with no Connection to Injuries Claimed filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 77 | MEMORANDUM in Support re 76 MOTION in Limine #5 to Exclude Opinions re Negligence with no Connection to Injuries Claimed filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit 1 - Simuel Dep, # 2 Exhibit 2 - TC Dep)(Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 78 | MOTION in Limine #6 to Exclude Plaintiff's Demand for Punitive Damages filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 79 | MEMORANDUM in Support re 78 MOTION in Limine #6 to Exclude Plaintiff's Demand for Punitive Damages filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit 1 - TC Dep, # 2 Exhibit 2 - Kutu Dep, # 3 Exhibit 3 - DR DEP, # 4 Exhibit 4 - Vainuku Dep)(Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 80 | MOTION in Limine to Exclude Unfairly Prejudicial and Irrelevant Evidence filed by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) (Entered: 06/12/2012) |
| 06/12/2012 | 81 | MOTION in Limine #7 to Exclude Subsequent Policies & Procedures filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 82 | MEMORANDUM in Support re 80 MOTION in Limine to Exclude Unfairly Prejudicial and Irrelevant Evidence filed by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) (Entered: 06/12/2012) |
| 06/12/2012 | 83 | MEMORANDUM in Support re 81 MOTION in Limine #7 to Exclude Subsequent Policies & Procedures filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 84 | MOTION in Limine to Exclude Evidence Regarding Collateral Sources and Insurance Benefits filed by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) |

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| | | (Entered: 06/12/2012) |
| 06/12/2012 | 85 | MOTION in Limine #8 to Exclude Evidence of Criminal History of Fact Witnesses filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 86 | MEMORANDUM in Support re 85 MOTION in Limine #8 to Exclude Evidence of Criminal History of Fact Witnesses filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit 1 - Kutu Dep, # 2 Exhibit 2 - Vainuku Dep, # 3 Exhibit 3 - Empl File Excerpt)(Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 87 | MOTION in Limine #9 to Exclude Evidence of Unrelated Terminations of Fact Witnesses filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 88 | MEMORANDUM in Support re 87 MOTION in Limine #9 to Exclude Evidence of Unrelated Terminations of Fact Witnesses filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit 1 - Bailey, # 2 Exhibit 2 - Vainuku, # 3 Exhibit 3 - Collier) (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 89 | MOTION in Limine #10 to Preclude any Testimony of Dr. Rosen Outside Rule 26 Report filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 90 | MEMORANDUM in Support re 89 MOTION in Limine #10 to Preclude any Testimony of Dr. Rosen Outside Rule 26 Report filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 91 | MOTION in Limine #11 to Exclude Unsupported Medical Evidence from Mr. Goodrich filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 92 | MEMORANDUM in Support re 91 MOTION in Limine #11 to Exclude Unsupported Medical Evidence from Mr. Goodrich filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 93 | MOTION in Limine #12 to Exclude Any Evidence of TC's Lost Earnings/Capacity filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/12/2012 | 94 | MEMORANDUM in Support re 84 MOTION in Limine to Exclude Evidence Regarding Collateral Sources and Insurance Benefits filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Exhibit Index to Exhibits, # 2 Exhibit Ex 1-Mitchell Hansen case, # 3 Exhibit ex 2-Peterson Himonas case, # 4 Exhibit ex 3-Howard order and brief, # 5 Exhibit ex 4-Amos case)(Badaruddin, Shandor) (Entered: 06/12/2012) |
| 06/12/2012 | 95 | MEMORANDUM in Support re 93 MOTION in Limine #12 to Exclude Any Evidence of TC's Lost Earnings/Capacity filed by Defendants Cottonwood Treatment Center, |

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| | | UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit 1 - Goodrich Dep)(Schoonveld, Eric) (Entered: 06/12/2012) |
| 06/15/2012 | 102 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Final Pretrial Conference held on 6/15/2012. Argument & discussion heard. Crt recesses 10:00 AM, reconvenes 10:55 AM. Argument & discussion continue. Crt recesses 11:10 AM, reconvenes 11:25 AM. Cnsl to prepare & submit revised, proposed final pretrial order filed with chambers nlt 7/9/2012. Crt schedules:- 5 - day jury trial set 12/4/2012, at 9:30 AM. Attorney for Plaintiff: See Minute Entry, Attorney for Defendant: See Minute Entry. Court Reporter: Patti Walker.(Time Start: 9:30 AM, Time End: 11:45 AM, Room 420.) (mrw) (Entered: 07/06/2012) |
| 06/26/2012 | 96 | MEMORANDUM in Opposition re 80 MOTION in Limine <i>to Exclude Unfairly Prejudicial and Irrelevant Evidence</i> filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/26/2012) |
| 06/26/2012 | 97 | MEMORANDUM in Opposition re 84 MOTION in Limine <i>to Exclude Evidence Regarding Collateral Sources and Insurance Benefits</i> filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 06/26/2012) |
| 06/28/2012 | 98 | RESPONSE to Motion re 70 MOTION in Limine #2 <i>to Exclude Plaintiff's Criticisms of Professional Operations</i> , 68 MOTION in Limine (<i>Standard Motions in Limine</i>), 72 MOTION in Limine #3 <i>to Exclude Plaintiff's Criticisms of After-Care Provided</i> filed by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) (Entered: 06/28/2012) |
| 06/28/2012 | 99 | RESPONSE to Motion re 76 MOTION in Limine #5 <i>to Exclude Opinions re Negligence with no Connection to Injuries Claimed</i> , 74 MOTION in Limine #4 <i>to Exclude Plaintiff's Criticisms re CTC Culture</i> filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Exhibit Index to Exhibits, # 2 Exhibit Klinski Deposition, # 3 Exhibit Collier Statement, # 4 Exhibit Collier Deposition, # 5 Exhibit Vainuku Deposition, # 6 Exhibit Outdoor Policy, # 7 Exhibit Robbins Staffing Note, # 8 Exhibit Robbins Deposition, # 9 Exhibit Kutu Deposition, # 10 Exhibit Vainuku Statement, # 11 Exhibit D.R. Deposition, # 12 Exhibit T.C. Deposition)(Badaruddin, Shandor) (Entered: 06/28/2012) |
| 06/28/2012 | 100 | RESPONSE to Motion re 81 MOTION in Limine #7 <i>to Exclude Subsequent Policies & Procedures</i> , 85 MOTION in Limine #8 <i>to Exclude Evidence of Criminal History of Fact Witnesses</i> , 78 MOTION in Limine #6 <i>to Exclude Plaintiff's Demand for Punitive Damages</i> , 87 MOTION in Limine #9 <i>to Exclude Evidence of Unrelated Terminations of Fact Witnesses</i> filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Exhibit Index to Exhibits, # 2 Exhibit Kutu Statement, # 3 Exhibit Kutu Court Records)(Badaruddin, Shandor) (Entered: 06/28/2012) |
| 06/28/2012 | 101 | RESPONSE to Motion re 91 MOTION in Limine #11 <i>to Exclude Unsupported Medical Evidence from Mr. Goodrich</i> , 89 MOTION in Limine #10 <i>to Preclude any Testimony of Dr. Rosen Outside Rule 26 Report</i> , 93 MOTION in Limine #12 <i>to Exclude Any Evidence of TC's Lost Earnings/Capacity</i> filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Exhibit Index to Exhibits, # 2 Exhibit Goodrich Deposition, # 3 Exhibit Goodrich CV)(Badaruddin, Shandor) (Entered: 06/28/2012) |
| 07/10/2012 | 103 | NOTICE of Change of Address by Shandor S. Badaruddin (Badaruddin, Shandor) (Entered: 07/10/2012) |

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| 07/12/2012 | 104 | REPLY to Response to Motion re 68 MOTION in Limine (<i>Standard Motions in Limine</i>) filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit 1 - Depo of Kasondra Simuel)(Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 105 | REPLY to Response to Motion re 70 MOTION in Limine #2 to Exclude Plaintiff's Criticisms of Professional Operations filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 106 | REPLY to Response to Motion re 72 MOTION in Limine #3 to Exclude Plaintiff's Criticisms of After-Care Provided filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 107 | REPLY to Response to Motion re 74 MOTION in Limine #4 to Exclude Plaintiff's Criticisms re CTC Culture filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Exhibit A Depo of Darrick R)(Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 108 | REPLY to Response to Motion re 76 MOTION in Limine #5 to Exclude Opinions re Negligence with no Connection to Injuries Claimed filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 109 | REPLY to Response to Motion re 78 MOTION in Limine #6 to Exclude Plaintiff's Demand for Punitive Damages filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 110 | REPLY to Response to Motion re 81 MOTION in Limine #7 to Exclude Subsequent Policies & Procedures filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 111 | REPLY to Response to Motion re 85 MOTION in Limine #8 to Exclude Evidence of Criminal History of Fact Witnesses filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 112 | REPLY to Response to Motion re 87 MOTION in Limine #9 to Exclude Evidence of Unrelated Terminations of Fact Witnesses filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 113 | REPLY to Response to Motion re 89 MOTION in Limine #10 to Preclude any Testimony of Dr. Rosen Outside Rule 26 Report filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |
| 07/12/2012 | 114 | REPLY to Response to Motion re 91 MOTION in Limine #11 to Exclude Unsupported Medical Evidence from Mr. Goodrich filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |

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| 07/12/2012 | 115 | REPLY to Response to Motion re 93 MOTION in Limine #12 to Exclude Any Evidence of TC's Lost Earnings/Capacity filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Schoonveld, Eric) (Entered: 07/12/2012) |
| 10/31/2012 | 116 | Stipulated MOTION to Continue Trial filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Attachments: # 1 Text of Proposed Order)(Anderson, Tawni) (Entered: 10/31/2012) |
| 11/02/2012 | 117 | ORDER granting stipulated Motion to Continue Trial, Motions terminated: 116 Stipulated MOTION to Continue Trial filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon. (Jury Trial set for 4/8/2013 09:30 AM in Room 436 before Judge Bruce S. Jenkins). Signed by Judge Bruce S. Jenkins on 11/02/2012. (tls) (Entered: 11/06/2012) |
| 11/02/2012 | 118 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Motion Hearing held on 11/2/2012 re 116 Stipulated MOTION to Continue Trial filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon. Argument & discussion heard. Crt rules:- Grants, stipulated motion re: (#116) to Continue Trial filed by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal HealthServicesCrt schedules:- 5 - day jury trial set 4/8/2013, at 9:30 AM.Crt executes proposed order continuing the new trial setting. Attorney for Plaintiff: see Minute Entry, Attorney for Defendant: see Minute Entry. Court Reporter: Karen Murakami.(Time Start: 11:30 AM, Time End: 11:45 AM, Room 420.) (mrw) (Entered: 12/04/2012) |
| 01/18/2013 | 119 | MOTION for Admission Pro Hac Vice of Jesse Froehling , Registration fee \$ 15, receipt number 1088-1756970, filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Exhibit All)(Badaruddin, Shandor) (Entered: 01/18/2013) |
| 01/22/2013 | 120 | ORDER granting 119 Motion for Admission Pro Hac Vice of Jesse A. Froehling for Kasondra Simuel. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Bruce S. Jenkins on 1/22/13. (jmr) (Entered: 01/22/2013) |
| 01/25/2013 | 121 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion for Summary Judgment held on JANUARY 5, 2012 before Judge Bruce S. Jenkins. Court Reporter/Transcriber Michelle Mallonee. NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/15/2013. Redacted Transcript Deadline set for 2/25/2013. Release of Transcript Restriction set for 4/25/2013. (asp) Modified by removing restricted text on 4/25/2013 (mlp). |

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| | | (Entered: 01/25/2013) |
| 01/25/2013 | 122 | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of MOTION TO EXCLUDE held on April 10, 2012 before Judge BRUCE S. JENKINS. Court Reporter/Transcriber Kellie Peterson.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/15/2013. Redacted Transcript Deadline set for 2/25/2013. Release of Transcript Restriction set for 4/25/2013. (asp) Modified by removing restricted text on 4/25/2013 (mlp). (Entered: 01/25/2013)</p> |
| 03/15/2013 | 125 | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of MOTION TO EXCLUDE held on April 10, 2012 before Judge BRUCE S. JENKINS. Court Reporter/Transcriber Kellie Peterson.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/5/2013. Redacted Transcript Deadline set for 4/15/2013. Release of Transcript Restriction set for 6/13/2013. (asp) Modified by removing restricted text on 6/13/2013 (rks). (Entered: 03/15/2013)</p> |
| 03/15/2013 | 126 | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion for Summary Judgment held on JANUARY 5, 2012 before Judge Bruce S. Jenkins. Court Reporter/Transcriber Michelle Mallonee.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court</p> |

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| | | <p>Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/5/2013. Redacted Transcript Deadline set for 4/15/2013. Release of Transcript Restriction set for 6/13/2013. (asp) Modified by removing restricted text on 6/13/2013 (rks). (Entered: 03/15/2013)</p> |
| 03/21/2013 | 128 | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of MOTION HEARING held on September 29, 2011 before Judge Bruce S. Jenkins. Court Reporter/Transcriber Clark L. Edwards.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/11/2013. Redacted Transcript Deadline set for 4/22/2013. Release of Transcript Restriction set for 6/19/2013. (asp) Modified by removing restricted text on 6/19/2013 (rks). (Entered: 03/21/2013)</p> |
| 03/22/2013 | 130 | <p>Stipulated MOTION To Present Testimony By Live Video Conference filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Text of Proposed Order Proposed Order) (Badaruddin, Shandor) (Entered: 03/22/2013)</p> |
| 03/25/2013 | 131 | <p>ORDER granting 130 Motion To Present Testimony By Live Video Conference filed by Plaintiff Kasondra Simuel. Signed by Judge Bruce S. Jenkins on 3/25/13. (jmr) (Entered: 03/25/2013)</p> |
| 03/25/2013 | 132 | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Final Pretrial Conference held on June 15, 2012 before Judge BRUCE S. JENKINS. Court Reporter/Transcriber Patti Walker, Telephone number 801-364-5440.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/15/2013. Redacted Transcript Deadline set for 4/25/2013. Release of Transcript Restriction set for 6/24/2013. (asp) Modified by removing restricted text on 6/25/2013 (rks). (Entered: 03/25/2013)</p> |

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| 04/03/2013 | 134 | <u>NOTICE OF HEARING ON PENDING MOTIONS AND TO CONSIDER PROPOSED PRETRIAL ORDER.</u> Re: 80 MOTION in Limine <i>to Exclude Unfairly Prejudicial and Irrelevant Evidence</i> , 81 MOTION in Limine #7 <i>to Exclude Subsequent Policies & Procedures</i> , 70 MOTION in Limine #2 <i>to Exclude Plaintiff's Criticisms of Professional Operations</i> , 93 MOTION in Limine #12 <i>to Exclude Any Evidence of TC's Lost Earnings/Capacity</i> , 89 MOTION in Limine #10 <i>to Preclude any Testimony of Dr. Rosen Outside Rule 26 Report</i> , 74 MOTION in Limine #4 <i>to Exclude Plaintiff's Criticisms re CTC Culture</i> , 78 MOTION in Limine #6 <i>to Exclude Plaintiff's Demand for Punitive Damages</i> , 91 MOTION in Limine #11 <i>to Exclude Unsupported Medical Evidence from Mr. Goodrich</i> , 87 MOTION in Limine #9 <i>to Exclude Evidence of Unrelated Terminations of Fact Witnesses</i> , 85 MOTION in Limine #8 <i>to Exclude Evidence of Criminal History of Fact Witnesses</i> , 84 MOTION in Limine <i>to Exclude Evidence Regarding Collateral Sources and Insurance Benefits</i> , 68 MOTION in Limine (<i>Standard Motions in Limine</i>), 72 MOTION in Limine #3 <i>to Exclude Plaintiff's Criticisms of After-Care Provided</i> , 76 MOTION in Limine #5 <i>to Exclude Opinions re Negligence with no Connection to Injuries Claimed</i> : Motion Hearing set for 4/5/2013 11:00 AM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 04/03/2013) |
| 04/03/2013 | 135 | Proposed Jury Instructions-First Original by Kasondra Simuel. (jmr) (Entered: 04/03/2013) |
| 04/03/2013 | 136 | Proposed Jury Instructions-Second Original by Kasondra Simuel. (jmr) (Entered: 04/03/2013) |
| 04/03/2013 | 137 | Proposed Voir Dire by Plaintiff Kasondra Simuel. (Badaruddin, Shandor) (Entered: 04/03/2013) |
| 04/03/2013 | 138 | Proposed Jury Instructions by Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Anderson, Tawni) (Entered: 04/03/2013) |
| 04/03/2013 | 139 | Proposed Jury Instructions by Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Anderson, Tawni) (Entered: 04/03/2013) |
| 04/03/2013 | 140 | Proposed Voir Dire by Defendants Cottonwood Treatment Center, UHS of Provo Canyon, UHS of Salt Lake City, Universal Health Services. (Anderson, Tawni) (Entered: 04/03/2013) |
| 04/05/2013 | 143 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Consider Form of Final Pretrial Order / Pending Motions held on 4/5/2013, Motion Hearing held on 4/5/2013 re 70 MOTION in Limine #2 <i>to Exclude Plaintiff's Criticisms of Professional Operations</i> filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, 76 MOTION in Limine #5 <i>to Exclude Opinions re Negligence with no Connection to Injuries Claimed</i> filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, 81 MOTION in Limine #7 <i>to Exclude Subsequent Policies & Procedures</i> filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, 91 MOTION in Limine #11 <i>to Exclude Unsupported Medical Evidence from Mr. Goodrich</i> filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, 68 MOTION in Limine (<i>Standard Motions in Limine</i>) filed by Universal |

Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, [85](#) MOTION in Limine #8 to Exclude Evidence of Criminal History of Fact Witnesses filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, [72](#) MOTION in Limine #3 to Exclude Plaintiff's Criticisms of After-Care Provided filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, [78](#) MOTION in Limine #6 to Exclude Plaintiff's Demand for Punitive Damages filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, [89](#) MOTION in Limine #10 to Preclude any Testimony of Dr. Rosen Outside Rule 26 Report filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, [74](#) MOTION in Limine #4 to Exclude Plaintiff's Criticisms re CTC Culture filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, [87](#) MOTION in Limine #9 to Exclude Evidence of Unrelated Terminations of Fact Witnesses filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon, [80](#) MOTION in Limine to Exclude Unfairly Prejudicial and Irrelevant Evidence filed by Kasondra Simuel, [84](#) MOTION in Limine to Exclude Evidence Regarding Collateral Sources and Insurance Benefits filed by Kasondra Simuel, [93](#) MOTION in Limine #12 to Exclude Any Evidence of TC's Lost Earnings/Capacity filed by Universal Health Services, Cottonwood Treatment Center, UHS of Salt Lake City, UHS of Provo Canyon. Argument & discussion heard. Crt rules:- Granted, Motion (#68) in Limine #1 barring comments related to the wealth of defendants / Poverty of plaintiff; barring evidence of other lawsuits against defendants; resolved by agreement, requiring the parties to disclose the sequence of testifying witnesses; denied, barring lay witnesses from giving any medical causation testimony; granted, barring any reference to previous settlement negotiations. - Granted, re: med mail, denied, re: balance, Motion (#70) in Limine #2 to Exclude Plaintiff's Criticisms of Professional Operations.- Denied, Motion (#72) in Limine #3 to Exclude Plaintiff's Criticisms of After-Care Provided.- Denied, as moot, Motion (#74) in Limine #4 to Exclude Plaintiff's Criticisms re CTC Culture.- Granted, Motion (#76) in Limine #5 to Exclude Opinions re Negligence with no Connection to Injuries Claimed.- Granted, Motion (#78) in Limine #6 to Exclude Plaintiff's Demand for Punitive Damages.- Granted, in both instances, Motion (#80) in Limine to Exclude Unfairly Prejudicial and Irrelevant Evidence.- Granted, Motion (#81) in Limine #7 to Exclude Subsequent Policies & Procedures.- Denied, Motion (#84) in Limine to Exclude Evidence Regarding Collateral Sources and Insurance Benefits.- Provisionally, granted, Motion (#85) in Limine #8 to Exclude Evidence of Criminal History of Fact Witnesses.- Reserves, (takes under advisement), Motion (#87) in Limine #9 to Exclude Evidence of Unrelated Terminations of Fact Witnesses.- Moot, Motion (#89) in Limine #10 to Preclude any Testimony of Dr. Rosen Outside Rule 26 Report.- Denied, Motion (#91) in Limine #11 to Exclude Unsupported Medical Evidence from Mr. Goodrich.- Reserves, (takes under advisement), Motion (#93) in Limine #12 to Exclude Any Evidence of TC's Lost Earnings/Capacity. Argument & discussion heard on proposed Final Pretrial Order. Crt recesses 3:12 PM, reconvenes 3:40 PM. Argument & discussion continue. Cnsl to prepare & submit third amended, stipulated, proposed final pretrial order nlt 4/8/2013. Attorney for Plaintiff: see Minute Entry, Attorney for Defendant: see Minute Entry. Court Reporter: Becky Janke.(Time Start: 11:00 AM, Time End: 4:00 PM, Room 420.) (mrw) (Entered: 05/08/2013)

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| 04/08/2013 | 144 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Status Conference (4-5 Day Jury Trial) held on 4/8/2013. Cnsl report that matter has been settled. Video |
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| | | presentation of plaintiff, settlement agreed to by plaintiff. Crt schedules:- Presentation of settlement & order of dismissal set 5/13/2013, at 1:30 PM. Case settled. Attorney for Plaintiff: see Minute Entry, Attorney for Defendant: see Minute Entry. Court Reporter: Patti Walker.(Time Start: 9:30 AM, Time End: 9:45 AM, Room 420.) (mrw) (Entered: 05/08/2013) |
| 04/24/2013 | 141 | MOTION to Continue Status Conference Set For May 13, 2013 filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Text of Proposed Order Proposed Order) (Badaruddin, Shandor) (Entered: 04/24/2013) |
| 04/29/2013 | 142 | ORDER granting 141 Motion to Continue. Signed by Judge Bruce S. Jenkins on 04/29/2013. (asp) (Entered: 04/30/2013) |
| 04/29/2013 | | Set Deadlines/Hearings: Status Conference set for 6/14/2013 01:30 PM in Room 420 before Judge Bruce S. Jenkins. (asp) (Entered: 04/30/2013) |
| 05/30/2013 | 145 | NOTICE of Change of Address by Tawni J. Anderson (Anderson, Tawni) (Entered: 05/30/2013) |
| 06/10/2013 | 146 | Consent MOTION to Continue Status Conference Set June 14, 2013 and Memorandum in Support filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Text of Proposed Order)(Badaruddin, Shandor) (Entered: 06/10/2013) |
| 06/13/2013 | 147 | ORDER granting 146 Motion to Continue. The Court shall conduct a status conference on July 12, 2013 at 11:00 a.m. Counsel may appear at the status conference via telephone. Plaintiff's counsel shall make all necessary arrangements for appearance by phone. Signed by Judge Bruce S. Jenkins on 6/13/13. (jmr) (Entered: 06/13/2013) |
| 06/13/2013 | | Set Deadlines/Hearings: Status Conference re-set for 7/12/2013 11:00 AM in Room 420 before Judge Bruce S. Jenkins pursuant to Order 147 .(jmr) (Entered: 06/13/2013) |
| 07/11/2013 | 148 | Stipulated MOTION to Substitute Party and Memorandum in Support filed by Plaintiff Kasondra Simuel. (Attachments: # 1 Text of Proposed Order)(Badaruddin, Shandor) (Entered: 07/11/2013) |
| 07/12/2013 | 149 | Minute Entry for proceedings held before Judge Bruce S. Jenkins: Status Conference (via Phone) held on 7/12/2013. Cnsl report that matter has been settled nlt 8/7/2013. Crt signs proposed order. Crt schedules:- Continues, presentation of settlement & order of dismissal set 8/16/2013, at 1:20 PM. Attorney for Plaintiff: see Minute Entry, Attorney for Defendant: see Minute Entry. Court Reporter: Patti Walker.(Time Start: 11:00 AM, Time End: 11:10 AM, Room 420.) (mrw) (Entered: 07/23/2013) |
| 07/23/2013 | 150 | ORDER granting 148 Motion to Substitute Party. Families Advocate added. Kasondra Simuel (the natural parent, next friend, and legal guardian of T.C., a minor) terminated. Signed by Judge Bruce S. Jenkins on 7/12/13. (jmr) (Entered: 07/23/2013) |
| 08/07/2013 | 151 | STIPULATION of Dismissal by Families Advocate. (Badaruddin, Shandor) (Entered: 08/07/2013) |
| 08/13/2013 | 152 | ORDER DISMISSING CASE-The Dismissal is WITH PREJUDICE. Each party shall bear their own costs and attorneys' fees. Signed by Judge Bruce S. Jenkins on 8/12/13. (jmr) (Entered: 08/13/2013) |

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