

# Rodriguez v. Catholic Health Initiatives (15)

## Additional Case Names

10:25 am

### Case Number

S-19-1116

### Case Audio

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### Call Date

October 2, 2020

### Case Time

9:00 AM

### Court Number

Douglas

### Case Location

Lincoln

### Court Type

District Court

### Case Summary

## **S-19-1116 Rodriguez (Appellants) v. Catholic Health Initiatives**

Douglas County District Court, Honorable James T. Gleason

Attorneys: Brian E. Jorde (DominaLaw Group pc llo)(Appellants) --- Joseph S. Daly & Mary M. Schott (Evans & Dixon LLC) (Appellee UNMC Physicians) --- Patrick G. Vipond, Denise M. Destache & Cathy S. Trent-Vilim (Lamson Dugan & Murray LLP) (Appellee Alegent Health-Bergan Mercy Health System d/b/a/ Lasting Hope Recovery Center)

Civil: Wrongful death; summary judgement

Proceedings below: The district court granted summary judgement in favor of Appellees.

Issues: The district court erred by 1) granting summary judgment in favor of Lasting Hope because: a) it found no breach of any custodial duties, and b) it failed to consider all negligence claims against Lasting Hope, 2) granting summary judgment in favor of UNMC because: a) it concluded Melissa was never a reasonably identifiable victim, and b) it failed to consider all negligence claims against UNMC, 3) sustaining Lasting Hope and UNMC objections to Appellants? summary judgment evidence regarding: a) Appellants? alleged failure to timely serve summary judgment exhibits #18, #19, #20, and #21, and b) All Appellees?? specific substantive objections to Appellants? evidence, and 4) failing to comply with Supreme Court Rule § 6-1526(D) in failing to schedule deadlines for compliance with this rule and the summary judgment statutes so as to ensure a fair opportunity for all parties to present their evidence.

### Schedule Code

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