

United States District Court
District of South Dakota
Western Division

VERNON R. TRAVERSIE,

Plaintiff,

vs.

RAPID CITY REGIONAL HOSPITAL, INC.;
REGIONAL HEALTH, INC.; REGIONAL
HEALTH PHYSICIANS, INC.; TRS SURG
ASSIST, INC.; AND JOHN AND JANE DOE
NOS. 1-100,

Defendants.

Civ. No. 12-05048-JLV

Regional Defendants'

Motion for

Summary Judgment

Through counsel and pursuant to Federal Rule of Civil Procedure 56, Defendants Rapid City Regional Hospital, Inc., Regional Health, Inc., and Regional Health Physicians, Inc. ("Regional Defendants") move this Court for an order granting summary judgment on all claims. Regional Defendants bring this motion because there are no genuine issues of material fact, and Regional Defendants are entitled to judgment as a matter of law on Plaintiff's claims. This motion is supported by *Brief in Support of Regional Defendants' Motion for Summary Judgment*, *Statement of Undisputed Material Facts*, and *Affidavits of Jeffrey G. Hurd, Angie Mills, and JoAnn Stock*.

WHEREFORE, Regional Defendants respectfully request that the Court grant their summary judgment motion on all claims in Plaintiff's *Complaint*.

Respectfully submitted January 10, 2014.

Traversie v. Regional Hospital,
Civ. No 12-05048-JLV

**BANGS, McCULLEN, BUTLER, FOYE
& SIMMONS, L.L.P.**

By: /s/ Jeffrey G. Hurd
Daniel F. Duffy
Jeffrey G. Hurd
Jessica L. Fjerstad
333 West Boulevard, Ste 400
P.O. Box 2670
Rapid City, SD 57709
Telephone: (605) 343-1040
Facsimile: (605) 343-1503
jhurd@bangsmccullen.com
dduffy@bangsmccullen.com
ifjerstad@bangsmccullen.com
ATTORNEYS FOR REGIONAL DEFENDANTS

Traversie v. Regional Hospital.
Civ. No 12-05048-JLV

CERTIFICATE OF SERVICE

I certify that, on January 10, 2014, I served copies of this document upon each of the listed people by the following means:

- | | | | |
|--------------------------|--------------------------|-------------------------------------|----------------|
| <input type="checkbox"/> | First Class Mail | <input type="checkbox"/> | Overnight Mail |
| <input type="checkbox"/> | Hand Delivery | <input type="checkbox"/> | Facsimile |
| <input type="checkbox"/> | Electronic Mail | <input checked="" type="checkbox"/> | ECF System |
| | w/ Cert. of Serv. By Fax | | |

Gabriel S. Galanda
Anthony S. Broadman
Ryan D. Dreveskracht
GALANDA BROADMAN, PLLC
P.O. Box 15146
Seattle, WA 98115
Phone: (206) 691-3631
Fax: (206) 299-7690
gabe@galandabroadman.com
anthony@galandabroadman.com
ryan@galandabroadman.com
ATTORNEYS FOR PLAINTIFF

Chase Iron Eyes
IRON EYES LAW OFFICES
1024 West Highland Acres
Bismarck, ND 58501
Phone: (303) 968-7904
Fax: (866) 810-6099
Email: chaseironeyes@gmail.com
ATTORNEYS FOR PLAINTIFF

Lonnie R. Braun
THOMAS, BRAUN, BERNARD &
BURKE, L.L.P.
4200 Beach Drive, Suite 1
Rapid City, SD 57702
Telephone: (605) 348-7516
Facsimile: (605) 348-5852
lbrown@tb3law.com
ATTORNEYS FOR DEFENDANT
TRS SURG ASSIST

/s/ Jeffrey G. Hurd
JEFFREY G. HURD