

**STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT**

**FILED
2nd JUDICIAL DISTRICT COURT
Bernalillo County
3/9/2020 5:12 PM
James A. Noel
CLERK OF THE COURT
Shellene Romero**

TINA ATKINS, individually and as a personal representative of the
ESTATE OF KEISHA MARIE ATKINS, and NICOLE ATKINS,

Plaintiffs,

vs.

No. D-202-CV-2018-05696

CURTIS BOYD, M.D. P.C. d/b/a SOUTHWESTERN WOMEN'S
OPTIONS; CURTIS W. BOYD, individually; CARMEN LANDAU,
individually; SHANNON CARR, individually; THE UNIVERSITY OF
NEW MEXICO d/b/a UNM HEALTH SYSTEM; THE UNIVERSITY OF
NEW MEXICO BOARD OF REGENTS; THE UNIVERSITY OF
NEW MEXICO HEALTH SCIENCES CENTER; LISA HOFER, M.D.,
individually; UNM MEDICAL GROUP, INC.; LILY BAYAT, M.D.,
individually; BRENDA PEREDA, M.D., individually; and LAUREN
DVORCAK, M.D., individually,

Defendants.

**DEFENDANTS CURTIS BOYD, M.D. P.C. D/B/A SOUTHWESTERN WOMEN'S
OPTIONS, CURTIS W. BOYD, SHANNON CARR AND CARMEN LANDAU'S
PRELIMINARY FACT WITNESS LIST**

Defendants Curtis Boyd, M.D., P.C. dba Southwestern Women's Options, Curtis
W. Boyd, Shannon Carr and Carmen Landau, through undersigned counsel, and in accordance
with the Court's Rule 1-016 Scheduling Order, identifies the following fact witnesses who may be
called to testify at trial as follows:

1. Tina Atkins
c/o Michael J. Seibel
Michael J. Seibel & Associates, PC
PO Box 14066 Albuquerque, NM 87191-4066
(505) 275-1700

-and

c/o Justin K. Hall
Law Office of Justin K. Hall, PC
328 West IH-30, Suite 2
Garland, Texas 75043
(972) 226-1999

It is anticipated that Ms. Tina Atkins will testify regarding the incident involving Ms. Keisha Marie Atkins and other facts that form the basis of her Complaint.

-and

2. Bradford Toovey
Address Unknown

It is anticipated that Mr. Bradford Toovey will testify regarding knowledge of Plaintiff and decedent.

3. Employees from Curtis Boyd, M.D. P.C. d/b/a Southwestern Women's Options
c/o Justin D. Goodman
Carol Romano
Resnick & Louis, P.C.
5600 Eubank Blvd NE, Suite 220
Albuquerque, NM 87111
(505) 652-1339

It is anticipated that the employees from Curtis Boyd, M.D. P.C. d/b/a Southwestern Women's Options who were involved in the treatment of Ms. Keisha Marie Atkins will testify regarding the incident involving her.

4. Curtis W. Boyd, M.D.
c/o Justin D. Goodman
Carol M. Romano
Resnick & Louis, P.C.
5600 Eubank Blvd NE, Suite 220
Albuquerque, NM 87111
(505) 652-1339

It is anticipated that Dr. Boyd will testify regarding the incident involving Ms. Keisha Marie Atkins.

5. Carmen Landau
c/o Justin D. Goodman
Carol M. Romano
Resnick & Louis, P.C.
5600 Eubank Blvd NE, Suite 220
Albuquerque, NM 87111
(505) 652-1339

It is anticipated that Dr. Landau will testify regarding the incident involving Ms. Keisha Marie Atkins.

6. Shannon Carr
c/o Justin D. Goodman
Carol M. Romano
Resnick & Louis, P.C.
5600 Eubank Blvd NE, Suite 220
Albuquerque, NM 87111
(505) 652-1339

It is anticipated that Dr. Carr will testify regarding the incident involving Ms. Keisha Marie Atkins.

7. Robin Wallace,
Southwestern Women's Options
c/o Justin D. Goodman
Carol M. Romano
Resnick & Louis, P.C.
5600 Eubank Blvd NE, Suite 220
Albuquerque, NM 87111
(505) 652-1339

It is anticipated that Ms. Wallace will testify regarding the incident involving Ms. Keisha Marie Atkins.

8. Shelly Sella, M.D.
c/o Justin D. Goodman
Carol M. Romano
Resnick & Louis, P.C.
5600 Eubank Blvd NE, Suite 220
Albuquerque, NM 87111
(505) 652-1339

It is anticipated that Dr. Sella will testify regarding the incident involving Ms. Keisha Marie Atkins.

9. Lisa Hofler, M.D.
c/o Mark J. Riley
David A. Gonzales
Taryn M. Kaselonis
Riley, Shane & Keller, P.A.
3880 Osuna Road NE
Albuquerque, NM 87109
(505) 883-5030

It is anticipated that Dr. Hofler will testify to the medical treatment of Ms. Keisha Marie Atkins.

10. Lily Bayat, M.D.
c/o Mark J. Riley
David A. Gonzales
Taryn M. Kaselonis
Riley, Shane & Keller, P.A.
3880 Osuna Road NE
Albuquerque, NM 87109
(505) 883-5030

It is anticipated that Dr. Bayat will testify to the medical treatment of Ms. Keisha Marie Atkins.

11. Brenda Pereda, M.D.
c/o Mark J. Riley
David A. Gonzales
Taryn M. Kaselonis
Riley, Shane & Keller, P.A.
3880 Osuna Road NE
Albuquerque, NM 87109
(505) 883-5030

It is anticipated that Dr. Pereda will testify to the medical treatment of Ms. Keisha Marie Atkins.

12. Trenton Wray, M.D.
c/o Mark J. Riley
David A. Gonzales

Taryn M. Kaselonis
Riley, Shane & Keller, P.A.
3880 Osuna Road NE
Albuquerque, NM 87109
(505) 883-5030

It is anticipated that Dr. Wray will testify to the medical treatment of Ms. Keisha Marie Atkins.

13. Gary Hatch, M.D.
c/o Mark J. Riley
David A. Gonzales
Taryn M. Kaselonis
Riley, Shane & Keller, P.A.
3880 Osuna Road NE
Albuquerque, NM 87109
(505) 883-5030

It is anticipated that Dr. Hatch will testify to the medical treatment of Ms. Keisha Marie Atkins.

14. Rameet Singh, M.D.
c/o Mark J. Riley
David A. Gonzales
Taryn M. Kaselonis
Riley, Shane & Keller, P.A.
3880 Osuna Road NE
Albuquerque, NM 87109
(505) 883-5030

It is anticipated that Dr. Singh will testify to the medical treatment of Ms. Keisha Marie Atkins.

15. Angela Shomin
c/o Mark J. Riley
David A. Gonzales
Taryn M. Kaselonis
Riley, Shane & Keller, P.A.
3880 Osuna Road NE
Albuquerque, NM 87109
(505) 883-5030

It is anticipated that Ms. Angela Shomin will testify to the medical treatment of Ms. Keisha Marie Atkins.

16. Italia Aranda, Counselor/Medical Assistant
c/o Justin D. Goodman
Carol Romano
Resnick & Louis, P.C.
5600 Eubank Blvd NE, Suite 220
Albuquerque, NM 87111
(505) 652-1339

It is anticipated that Ms. Aranda will testify regarding her interactions with Ms. Keisha Marie Atkins at Southwestern Women's Options.

17. Kurt Nolte, M.D.
c/o State of New Mexico Office of Medical Investigator

It is anticipated that Dr. Nolte will testify to the exam conducted by the State of New Mexico Office of Medical Investigators.

18. Lauren Dvorscak, M.D.
c/o Rebecca S. Kenny
Holly E. Armstrong
Madison, Mroz, Steinman & Dekleva, P.A.
PO Box 25467
Albuquerque, NM 87125-5467
(505) 242-2177

It is anticipated that Dr. Lauren Dvorscak will testify to the exam conducted by the State of New Mexico Office of Medical Investigators.

19. Manny Clayton
Current address unknown

It is anticipated that Mr. Clayton will testify regarding the incident involving Ms. Keisha Marie Atkins and other facts that form the basis of Plaintiffs' Complaint

20. Albuquerque Ambulance Services' Employees
4500 Montbel Pl NE
Albuquerque, NM 87107
(505) 768-9300

It is anticipated that these witnesses will testify regarding their treatment and transport of Ms. Keisha Marie Atkins related to the incident involving Ms. Keisha Marie Atkins.

21. Bud and Tara Shaver
Address Unknown

It is anticipated that Bud and Tara Shaver will testify regarding the investigated incident under auspice of operation rescue.

22. Any witness identified by any other party, to which Plaintiff does not object.

23. Any healthcare provider not specifically identified who participated in the care and treatment of Ms. Keisha Nicole Atkins or who may have knowledge relative to any issue in this case.

24. Any other healthcare providers who had treated Ms. Keisha Marie Atkins at any time during her lifetime who may be identified through the course of discovery.

25. Any witnesses whose identities are disclosed through discovery, which is ongoing at the time of the filing of this Preliminary Witness List.

26. Any person, including representatives of entities, identified by Defendants or their representatives as a source of information on Plaintiff's claims of lost income and/or lost wages.

27. All persons disclosed in any parties' Answers to Interrogatories, to which Plaintiff does not object.

28. Any person whose deposition has been or will be taken prior to trial.

29. Any person necessary for rebuttal that cannot reasonably be anticipated or identified at this time.

30. Defendants may call to testify any foundation witnesses as may be necessary to authenticate documents and exhibits.

31. This Preliminary Fact Witness List is not a representation that Defendants will ultimately call to testify, subpoena or arrange for appearance at trial of this matter each and every witness listed herein. Therefore, to the extent any other party intends to call any of the aforementioned witnesses at trial, that party should make necessary arrangements for those witnesses' appearance.

32. As discovery is ongoing in this case and not yet complete, Defendants reserve the right to supplement and/or amend this list and disclose additional fact witnesses whose identities are later discovered.

SUBMITTED this 9th day of March 2020.

Respectfully Submitted,

RESNICK & LOUIS, P.C.

/s/ Carol M. Romano

Carol M. Romano, *Admitted Pro Hac Vice*

Justin Goodman

3840 Masthead Street, NE

Albuquerque, NM 87109

(505) 559-4983

cromano@rlattorneys.com

jgoodman@rlattorneys.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of March 2020, I submitted for electronic filing and service **DEFENDANTS CURTIS BOYD, M.D. P.C. D/B/A SOUTHWESTERN WOMEN'S OPTIONS, CURTIS W. BOYD, SHANNON CARR AND CARMEN LANDAU'S PRELIMINARY FACT WITNESS LIST** through "Odyssey File and Serve," and that on such date, I served the foregoing to the participants/counsel in the manner indicated above.

/s/ Carol Sibiga

An Employee of Resnick & Louis, P.C.