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, State Bar No. 163975
, State Bar No. 286849

Telephone: (510)
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Attorneys for Respondents

and

IN THE MATTER OF THE ARBITRATION OF

Arbitration No. 12887

**[PROPOSED] ORDER GRANTING
RESPONDENTS**

Claimants,

v.

, AND

MOTION FOR SUMMARY JUDGMENT

**Date: August 12, 2015
Time: 9:00 a.m.
Place: Telephonic
Arbitrator: Hon. Laurence K. Sawyer (Ret.)**

Respondents.

Respondents

and

's Motion

for Summary Judgment was heard telephonically on August 12, 2015 at 9:00 a.m. Respondents were represented by , Esq. of . Claimant appeared *in propria persona*. Claimants were properly served with Respondents' motion.

Upon consideration of the documents submitted in this matter, the presentations by Claimants and counsel at the hearing, and good cause appearing therefore, IT IS HEREBY ORDERED THAT:

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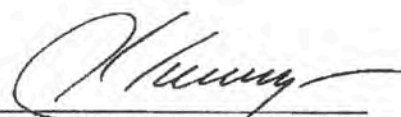
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1. Respondents' Motion for Summary Judgment is GRANTED. Respondents have established that this cause of action has no merit because the treatment at issue was consistent with the standard of care and did not proximately cause any injury to Claimants. Moreover, Claimants did not submit an opposition to Respondents' Motion. As such, Respondents are entitled to judgment as a matter of law.

2. Claimants' entire action is DISMISSED with prejudice.

Nothing in this arbitration decision prohibits or restricts the enrollee from discussing or reporting the underlying facts, results, terms or conditions of this decision to the Department of Managed Health Care.

DATED: 8/12/15

By: 
HON. LAURENCE K. SAWYER (RET.)

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. Esq. (SBN 136305)

Telephone:
Facsimile:

Attorneys for Respondents

and

IN THE MATTER OF ARBITRATION

)	ARBITRATION NO.: 13006
)	
Claimants,)	PROPOSED ORDER GRANTING
)	RESPONDENTS' MOTION FOR SUMMARY
vs.)	JUDGMENT
)	
)	Date: September 4, 2015
, and)	Time: 9:00 a.m.
)	Arbitrator: Hon. Laurence Sawyr (Ret.)
)	Dial In: 877-696-5267
Respondents.)	

The Motion for Summary Judgment of Respondents

, and

("Respondents") came for hearing on September 4, 2015, before the

Honorable Laurence Sawyr (Ret.). Claimant appeared on her own behalf and Respondents were represented by , Esq. with the law firm of

After consideration and reading of the moving papers, Memorandum of Points and Authorities, including the Declarations and exhibits submitted in support, the arguments of counsel and claimant, and good cause appearing therefore, the Honorable Laurence

1 Sawyer finds that there are no triable issues of material fact and that Respondents are
2 entitled to judgment as a matter of law.

3 THEREFORE,

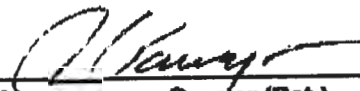
4 THE HONORABLE JUDGE LAURENCE SAWYER HEREBY ORDERS AND DECREES that
5 Respondents' Motion for Summary Judgment is GRANTED.
6

7 FURTHER,

8 THE HONORABLE JUDGE LAURENCE SAWYER HEREBY ORDERS AND DECREES that
9 JUDGMENT is entered in favor of Respondents and against Claimant as to the entirety of
10 this action and the Demand for Arbitration and this matter is DISMISSED.
11

12 *Nothing in this arbitration decision prohibits or restricts enrollee from discussing or*
13 *reporting the underlying facts, results, terms and conditions of this decision to the*
14 *Department of Managed Health Care.*

15 Dated: September 10, 2015

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17 _____
18 Hon. Laurence Sawyer (Ret.)
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, ESQ. (State Bar No.)
, ESQ. (State Bar No.)

A Professional Corporation

Telephone:
Facsimile:
E-mail:

Attorneys for Respondent(s),
, a non-profit
corporation;
, a non-profit corporation; and
professional corporation

IN RE THE ARBITRATION BETWEEN:

Claimant(s),
vs.
non-profit corporation;
non-profit corporation; and
professional corporation,
Respondent(s).

**ORDER GRANTING MOTION
FOR SUMMARY JUDGMENT**

The Motion for Summary Judgment of respondents,
, a non-profit corporation;
non-profit corporation; and
, a professional
corporation, came on for telephonic hearing on February 22, 2017, The Honorable Laurence K.
Sawyer (ret.) presiding. , Esq. appeared on behalf of respondents, and claimant in
propria persona appeared on her own behalf. After consideration of
the moving papers, opposition, and file for this matter, and after hearing oral argument,

IT IS HEREBY ORDERED that the Motion is GRANTED.

1 Claimant alleged that respondents committed medical
2 negligence in the care and treatment of her left foot and the follow up care for the left foot, which
3 caused injury to claimant.

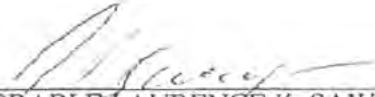
4 Respondents have presented evidence in the form of the expert testimony of podiatrist
5 , DPM that respondents' conduct did not breach the applicable standard of care and
6 did not cause the injury alleged by claimant in this action. Claimant has not responded with
7 expert testimony that respondents breached the standard of care or caused her alleged injury, as
8 she must in this action based on medical malpractice. Landeros v. Flood (1976) 17 Cal.3d 399,
9 410, 131 Cal.Rptr. 69; Cobbs v. Grant (1972) 8 Cal.3d 229, 236-237, 104 Cal.Rptr. 505;
10 Huffman v. Lindquist (1951) 37 Cal.2d 465, 473, 234 P.2d 34,

11 For that reason, respondents have established that there is no triable issue of fact with
12 regard to claimant's claim against respondents for medical negligence, and that respondents are
13 entitled to summary judgment.

14 **Nothing in this decision prohibits or restricts the enrollee from discussing or**
15 **reporting the underlying facts, results, terms, and conditions of this decision to the**
16 **Department of Managed Health Care.**

17
18 IT IS SO ORDERED.

19 DATED: April 21, 2017.

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22 HONORABLE LAURENCE K. SAWYER (RET.)
23 NEUTRAL ARBITRATOR
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