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2 JUDICATE WEST
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7 ARBITRATOR

8 IN RE THE ARBITRATION BETWEEN:

9 and
10 Claimants,
11 vs.
12
13
14
15 Respondents,

**ARBITRATION ORDER
RE MOTION FOR SUMMARY
JUDGMENT**

16 TO THE PARTIES AND TO THEIR ATTORNEYS OF RECORD:

17 The undersigned was selected by the parties to serve as the Arbitrator for this claim of
18 medical negligence. A Motion for Summary Judgment having been filed by Respondents and
19 set for hearing by this Arbitrator on October 23, 2019 at the hour of 9:00AM.

20 At the hearing of the Motion for Summary Judgment, Attorney _____, Esq. appeared
21 on behalf of the Respondents _____, Claimants _____ and _____ made no
22 appearance and no attorney or other representative appeared on their behalf.

23 At the hearing Attorney _____ summarized the legal and factual basis in support of
24 Respondents' Motion for Summary Judgment. No evidence whatsoever was submitted by the
25 Claimants.

26 The matter was submitted to the Arbitrator for decision.

1 The following decision is the result of a thorough review of the evidence including
2 review of Respondents' moving papers, records and declaration of expert MD,
3 burden of proof considerations and weighing of the evidence both oral and written. Accordingly,
4 the following Arbitration Order is made:

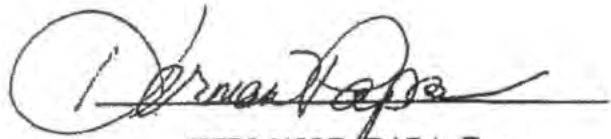
5 1. Respondents' Motion for Summary Judgment taken up for determination herein has
6 been properly filed and served upon Claimants. Said Motion has merit and is supported
7 by law and expert medical opinion. Claimants have neither offered nor presented
8 any opposing evidence oral or written to the Motion.

9 **ACCORDINGLY, RESPONDENTS' MOTION FOR SUMMARY
10 JUDGMENT IS GRANTED.**

11 2. Respondents shall bear the costs of the Arbitration

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

15 Dated: October 23, 2019

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18 HERMAN D. PAPA, Esq.
19 ARBITRATOR