

FILED

IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

2010 MAY 26 PM 3:28

RICHARD R. BOOKER, CLERK

P. Allen D.C.

GILBERT OLERUD and Wife,
ANNETTE RAE OLERUD,
Individually and as Next of Kin of
RACHEL CAMILLE OLERUD,

Plaintiffs,

v.

DR. WALTER M. MORGAN, III,
PEDIATRIC SURGICAL ASSOCIATES,
and THE VANDERBILT UNIVERSITY,

Defendants.

No. 07C2101
JURY DEMAND

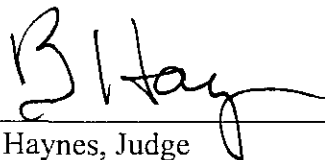
ORDER

This cause came before the Court on April 30, 2010, upon Plaintiffs' Motion to Alter or Amend. After considering Plaintiffs' motion and supporting documents, Defendants' response and supporting documents, argument of counsel and the entire record in this case, the Court finds that it fully considered all of the evidence in granting Defendants' Renewed Motion for Summary Judgment, and Plaintiffs have not offered any new evidence to support this Court's altering of its prior ruling. This Court also finds that there is no basis for the Court to recuse itself in this matter. The Board of Directors of Monroe Carrell, Jr. Children's Hospital at Vanderbilt is not a governing board for Vanderbilt Children's Hospital. It has no involvement in the day-to-day affairs at Vanderbilt Children's Hospital or the development of clinical or business policies or procedures at Vanderbilt Children's Hospital. It also is not notified of any claims made against Vanderbilt Children's Hospital or its employees, and has no involvement in the evaluation or defense of such claims.

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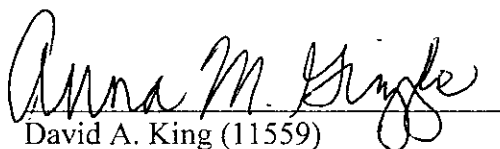
Accordingly, it is, therefore, ORDERED that the Plaintiffs' Motion to Alter or Amend is denied.

ENTER this ___ day of May, 2010.



Barbara N. Haynes, Judge

APPROVED FOR ENTRY:



David A. King (11559)

Anna M. Grizzle (20465)
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001
Telephone: (615) 742-6200
Facsimile: (615) 742-2815

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served via U.S. Mail, addressed to the following on this the 12 day of May, 2010.

William Kennerly Burger
12 Public Square North
Murfreesboro, TN 37130

