IN THE SUPREME COURT OF MISSISSIPPI

2007-TS-00980

Thomas Lucas, Kathleen Lucas Munn, James L. McNeill, Michelle McNeill Ciaccio, and Matthew McNeill, Individually And on Behalf of the Estate of Jane Lucas
Appellants

-Versus-

Baptist Memorial Hospital - North Mississippi, Inc.
Appellee

APPELLEE'S BRIEF

On Appeal from the Circuit Court of Lafayette County, Mississippi

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CERTIFICATE OF INTERESTED PARTIES

The undersigned counsel of record certifies that the following listed persons have an interest in the outcome of this case. These representations are made in order that the justices of the Supreme Court and/or the judges of the Court of Appeals may evaluate possible disqualification or recusal.

1. Hon. Henry L. Lackey, Circuit Court Judge, District 3.

2. Baptist Memorial Hospital - North Mississippi, Inc., Oxford, Mississippi, Appellee.

3. Michael N. Watts and Jonathan S. Masters, Attorneys for Baptist Memorial Hospital - North Mississippi, Inc.

4. Thomas Lucas, Kathleen Lucas Munn, James L. McNeill, Michelle McNeill Ciaccio, and Matthew McNeill, Individually and on Behalf of the Estate of Jane Lucas, Appellant.

5. John G. Holaday, George M. Yoder, III, Attorneys for Appellants.

6. Dr. Virgil Norris, Jr., Co-defendant.

7. Mark G. Gunn, M.D., Co-defendant.

8. Robert J. Dambrino, III, Attorney for Drs. Virgil Norris and Mark G. Gunn.

9. James C. Gilmore, M.D., Co-defendant.

10. Shelby Duke Goza and S. Kirk Milam, Attorneys for Dr. James C. Gilmore.

By: _____

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I.
STATEMENT OF THE CASE

This case arises from Lucas'[1] failure to timely serve process on Baptist Memorial Hospital- North Mississippi, Inc. ("BMH-NM") as required by Rule 4(h), M.R.C.P. As a result, the two-year medical malpractice statute of limitation began running again and the case was later dismissed with prejudice.

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[1] BMH-NM will refer to the Appellants collectively as "Lucas."

II.
SUMMARY OF THE ARGUMENT

Lucas failed to timely serve process on BMH-NM. This failure allowed the two-year medical malpractice statute of limitation to expire on May 15, 2004. (*Appendix - A, Timeline*). As evidenced by the four extensions requested in this appeal, Lucas has failed to follow the appropriate procedures or timely follow through with the service of process requirements prescribed by the Mississippi Rules to Civil Procedure.

Lucas filed suit on December 31, 2002. However, Lucas failed to perfect service within 120 days. As a result, Lucas was forced to request an additional 120 days to serve BMH-NM.[2] Though Lucas received this additional time, they again failed to timely serve BMH-NM. As such, the statute of limitation began running again on August 26, 2003. At that time, there remained 263 days before the statute of limitation expired. However, in those remaining days, Lucas failed to re-file the action and perfect service. Choosing instead to sit idly by while the statute of limitation ticked away, finally expiring on May 15, 2004.

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The extension order, entered May 1, 2004, followed an *ex parte* motion. (R. 11-13). BMH-NM argued below that Lucas' failure to obtain medical records did not establish *good cause*. It is irrelevant to the service of process whether Lucas obtained medical records or not; the review of medical records should control the determination whether to file suit in the first place, not whether to serve process. See, *Powe v. Byrd*, 892 So.2d 223 (Miss. 2004). See, also, Tr. P. 28, lns 24-28.

Although this court has held that affirmative defenses may be waived under certain limited circumstances, the facts here do not support such a conclusion. The record clearly illustrates that BMH-NM raised the defense in its Answer, and actively pursued the dismissal through the litigation.

Accordingly, this Court should affirm the lower court's ruling and uphold BMH-NM's dismissal.

III.
ARGUMENT

A.
Plaintiff Failed to Timely Serve Process

Lucas failed to timely serve process on BMH-NM despite two extensions in which to do so. This failure allowed the two-year medical malpractice statute of limitation to expire on May 15, 2004.

1.

The statute of limitation began running on September 20, 2001, the date of Jane Lucas' death. Lucas filed the wrongful death case on December 31, 2002.[3] When Lucas failed to timely serve process on BMH-NM, they obtained an extension in which to perfect service on April 28, 2003. Despite this extension, Lucas again failed to serve BMH-NM. In fact, the record reflects that Lucas failed to even attempt to have summons issued during this initial 120-day period. Such a failure is beyond excusable neglect.[4] In *LeBlanc* the Defendant was dismissed because the plaintiff failed to effect service of process within 120 days. In upholding the trial court's Rule 4(h) dismissal, this Court held, "the failure to even have process issued showed a lack of

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[3] This action was filed in the Circuit Court of Pontotoc County, which transferred the case to the Circuit Court of Lafayette County, over the objection of Plaintiff in March of 2005. (R. 97-98)

[4] *Perry v. Andy*, 858 So.2d 143, 146 (Miss.2003)(citing, *LeBlanc v. Allstate Ins. Co.*, 809 So.2d 674 (Miss.2002)).

diligence beyond excusable neglect."[5] This is precisely the neglectful conduct presented here. And just as this Court found in *LeBlanc*, Lucas' failure to have summons issued during the initial 120-day period is beyond excusable neglect.

Moreover, even after summons was eventually issued, Lucas' attempts to serve BMH-NM were half-hearted at best. For example, the record reflects that while summons was issued in late April, it was never served.[6] (R. 117). Moreover, that summons was directed to "Baptist Memorial Hospital," a corporation that does not exist in the State of Mississippi.

Continuing their lackluster service efforts, Lucas again attempted service in October of 2003. This time Lucas' attempted service to BMH-NM's registered agent, CT Corporation. CT Corporation was forced however to return the process papers explaining that there were several entities whose names included the words "Baptist Memorial Hospital," and that without further clarification, it could not accept process. (R. 120). There was apparently no effort by Lucas to provide the necessary clarification.

These less than diligent service efforts continued with the issuance of a new summons on October 22, 2003 – nearly two months after the process deadline expired. This time, Lucas attempted service by certified mail. BMH-

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LeBlanc at 678.

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See, Moak v. Moore, 373 So. 2d 1011 (Miss. 1979).

NM's agent received the attempted service on November 7, 2003. This effort however was too late, and ineffective. "Service of process may not be had by certified mail upon an in-state defendant."[7] Therefore the *manner* of process used for BMH-NM, an "in-state" defendant, was defective. Nevertheless, the Court need not address that issue, since no process of any kind was attempted during the period allowed by Rule 4(h) or during the extension of time allowed by the Court. Indeed, any attempted service after August 26, 2003 is meaningless and of no consequence to this appeal.

Under no interpretation can Lucas' service efforts be rightfully described as *in good faith.*[8] This Court has stated:

> [A]t a minimum, a plaintiff attempting to establish good cause must show at least as much as would be required to show excusable neglect, as to which simple inadvertence or mistake of cause or ignorance of the rules usually does not suffice . . . [G]ood cause is likely (but not always) to be found when the plaintiff's failure to complete service in a timely fashion is a result of the conduct of a third person, typically the process server, the defendant has evaded service of the process or engaged in misleading conduct, the plaintiff has acted diligently in trying to effect service of there are understandable mitigating circumstances, or the plaintiff is proceeding pro se or in forma

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Triple "C" Transport, Inc. v. Dickens, 870 So.2d 1195, 1198 (Miss.2004)(mere issuance of a summons is insufficient proof of service).

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Triple "C" Transport, Inc. at 1200 (Miss.2004); *Watters v. Stripling*, 675 So.2d 1242, 1244 (Miss.1996) (filing of complaint tolls statute of limitations only for 120 days allowed by Rule 4(h); claim was eventually barred against defendant not served within 120 days of filing of complaint); and *Heard v. Remy*, 937 So.2d 939 (Miss. 2006).

pauperis.[9]

Lucas was not "diligent in attempting to serve process" on BMH-NM. In fact, the record reflects that they made no legitimate attempt to perfect service at any time before the August 26, 2003 deadline. Indeed, there must first be an *attempt* to serve process before Lucas can say that the attempt was diligent or in good faith.

2.

Lucas' argument that the court failed to review their proffered "good cause" for yet more time to perfect service is without merit. Judge Lackey's order makes detailed findings of the underlying facts and alleged "good cause" argued by Lucas below. Judge Lackey specifically found:

> Following the hearing of this matter on July 22, 2005, Plaintiff submitted two letters to the Court alleging that BMH-NM had been served with process twice; once in March of 2003 and once in April of 2003. However, the Court has concluded that BMH-NM could not have been served in March of 2003 because no summonses had been issued by that time. The clerk's docket sheet shows that summonses were first issued on April 29, 2003. Although Plaintiff submitted to the Court, as alleged proof of service, a certified mail receipt mailed to the hospital in March of 2003, BMH-NM has demonstrated that this mail receipt accompanied a request for medical records, not a summons and complaint.
>
> Nor has plaintiff demonstrated that BMH-NM was served with process in April of 2003, as alleged. The only evidence submitted by Plaintiff showing service on the date is a summons

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[9] *Holmes v. Coast Transit Authority*, 815 So.2d 1183, 1186 (Miss. 2002).

> issued to "Baptist Memorial Hospital." There is no evidence that the summons was ever served, such as a signed certificate of service of a process server, a signed certified mail receipt or an acknowledgment of receipt of summons and complaint. The mere issuance of a summons naming a defendant does not, by itself, constitute service on that defendant.

(R. 189-190).

Despite Lucas' failure to notice a hearing on its "Motion for Time Until November 24, 2003, During Which to Service Defendant Baptist Memorial Hospital and for Alternative Relief in Rebuttal of Defendant's Second Motion to Dismiss," Judge Lackey's order clearly and thoroughly addresses the issues raised within that motion, and any assertion that the issue was not properly addressed below is contrary to the record and without merit.

B.
BMH-NM was Properly Dismissed with Prejudice

Lucas' complaint against BMH-NM was properly dismissed with prejudice, because the statute of limitation applicable to their claims expired and barred the filing of any subsequent complaint.

When Lucas filed the Complaint on December 31, 2002, there were 263 days remaining on the limitation period. The Complaint tolled the statute of limitation for the 120 days allowed by Rule 4(h). The extension of time granted in April of 2003 tolled the statute *another* 120 days, until August 26, 2003. However, because BMH-NM was not served with process before

August 26, 2003, the statute of limitation began to run again on August 27, 2003. And 263 days later, May 15, 2004, the statute of limitation expired. (See Appendix A.) Where a plaintiff fails to serve a defendant within 120 days of filing of complaint, the statute of limitation begins to run again and will eventually bar plaintiff's claim if not otherwise cured.[10]

Lucas failed to serve process on BMH-NM during the 120 days following the filing of the complaint. Lucas also failed to serve BMH-NM within the extra 120 days provided by court order. Thus, notwithstanding that Lucas had 240 days to serve BMH-NM, they failed to do so. As such, the statute of limitations began running again on August 26, 2003 and expired on May 15, 2004. Consequently, BMH-NM was properly dismissed with prejudice.

C.
BMH-NM Did Not Waive its Defenses

BMH-NM did not waive its affirmative defense. The untimely service issue was properly asserted in its Answer. Moreover, BMH-NM pursued its motion to dismiss and took no action contrary to that intent.

1.
BMH-NM Timely Asserted its Affirmative Defenses

Contrary to the record, Lucas asserts that BMH-NM waived its

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10 *Watters v. Stripling*, 675 So.2d 1242, 1244 (Miss.1996).

ineffective service of process defense by filing its motion to transfer venue. This argument, however, ignores the fact that BMH-NM filed its answer on February 15, 2003 – long before filing the motion to transfer venue. (R. 19-25).

Defects in the service of process, including the defect of untimely service, are waived *only if* the defendant fails to assert the defense in its Answer or moves to dismiss.[11] BMH-NM raised the defense of untimely service of process in its Answer as the "Third Defense." This defense unequivocally provided: "Plaintiffs have failed to serve process on BMH-NM within 120 days of filing of the Complaint, and therefore the Complaint should be dismissed as to BMH-NM." (R. 22, 142). Subsequently, BMH-NM filed its Motion to Dismiss for Improper Venue or in the Alternative to Transfer to the Circuit Court of Lafayette County, Mississippi on January 20, 2004. (R. 27-28). Clearly, BMH-NM timely and appropriately asserted that Lucas failed to perfect service within 120 days.

In short, BMH-NM preserved the defense of untimely service by raising it in the Answer, and therefore the defense was not waived.[12]

BMH-NM's Answer raising the defense of untimely service of process

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Collom v. Senholtz, 767 So. 2d 215, 218 ¶ 10 (Miss. App. 2000) ("Rule 12(b) explicitly states that the insufficiency of process defense is only waived if the answer or affirmative defenses are filed omitting the defense.")

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Id.

should have alerted Lucas to their need to re-file the Complaint to toll the statute of limitation and preserve their cause of action against BMH-NM. Lucas' failure is similar to that of the plaintiff in *Holmes*.[13] There, the plaintiff failed to re-file the complaint against Coast Transit Authority before the remaining 53 days expired; and, therefore, his suit was barred by the statute of limitation. Here, there was a period of roughly five months left in the limitation period when BMH-NM asserted its untimely service defense. Thus there was ample time for Lucas to cure the defect. Lucas, however, simply ignored the problem, and now, hat in hand, seeks this Court's assistance for these failures.

2.

BMH-NM Actively Pursued Its Affirmative Defense

Though Lucas' failure to read BMH-NM's affirmative defenses is no excuse, they most certainly did not go unnoticed as evidenced by their June 18, 2004, motion to strike BMH-NM's affirmative defenses. (R. 39). Paragraph IV of that motion specifically addressed the untimely service issue raised by BMH-NM. (R. 40).

Shortly thereafter, on August 20, 2004, BMH-NM further solidified its position that service was untimely by filing its motion to dismiss which echoed

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See *Holmes v. Coast Transit Authority*, 815 So. 2d 1183, ¶ 9 (Miss. 2002).

its earlier asserted affirmative defense. (R. 67). Almost immediately thereafter, BMH-NM began working to schedule a hearing on its motion to dismiss, as well as its motion to transfer venue which had been previously filed. There were no dates during the remainder of 2004 for the motions to be heard. The first available date was January 20, 2005. (R. 224-226). BMH-NM noticed both motions for hearing on January 20, 2005. At the hearing, the Circuit Court of Pontotoc County allowed BMH-NM to elect which motion to present first. BMH-NM suggested that the motion to change venue should be heard first. Indeed, when the Court granted the motion it relieved the Pontotoc County Court of jurisdiction and could not entertain any additional motions. The case was then transferred to Lafayette County by order entered March 21, 2005. (R. 97).

On April 30, 2005, BMH-NM obtained an order setting its motion to Dismiss for hearing on July 22, 2005 from the Lafayette Circuit Court. (R. 99). At the hearing's conclusion, the Court took the matter under advisement and further invited all counsel to submit additional material pertinent to the motion to dismiss.

While this Court has provided that a defendant's failure to timely pursue an affirmative defense which would serve to terminate or stay the litigation,

coupled with active participation in the litigation, may serve as a waiver,[14] the facts here simply do not support such a finding.

Following the July 22, 2005 hearing, BMH-NM took no significant action in this litigation. In fact the record reflects BMH-NM filed no documents during this time except the post-hearing submission requested by the Court. During this time, there were no interrogatories, no request for production and no depositions.

BMH-NM further requested a status conference in April of 2006 to remind the Court of its outstanding motion. (R. 154). In January of 2007, Judge Lackey responded to a request of BMH-NM's counsel again reminding the court of the status of the outstanding motion. (R-227). That letter, requested the parties to submit proposed findings and fact and conclusions of law. (R. 227).

The facts here are quite unlike those presented in *East Mississippi*.[15] In that case, the defendant waited over two years to assert its motion to dismiss.[16] Unlike the defendants in *East Mississippi*, BMH-NM, did not *neglect to*

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Whitten v. Whitten, 956 So.2d 1093,1098 (Miss. 2007)(citing, *MS Credit Center, Inc. v. Horton*, 926 So.2d 167 (Miss. 2006)). *See also, East Mississippi State Hospital v. Adams*, 947 So.2d 887 (Miss. 2007).

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East Mississippi State Hospital v. Adams, 947 So.2d 887 (Miss. 2007).

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East Mississippi at 889.

pursue its claim.

In *Whitten,* this court clarified that in order to waive an affirmative defense, the defendant must (1) fail to pursue the affirmative matter for an unreasonable time **and,** (2) actively participate in the underlying case. BMH-NM did neither.

While BMH-NM recognizes that 18-months passed between filing its motion to dismiss and it ultimately being granted, the passage of time was not due to any default or waiver by BMH-NM. BMH-NM asserted its affirmative defenses, defended them in Lucas' motion to strike and similarly asserted in its motion to dismiss shortly thereafter. In addition, BMH-NM actively pursued a hearing on its motion which was further delayed by Lucas' filing the action in the wrong venue. Again, once the case was transferred to the appropriate county, BMH-NM re-noticed a hearing on the motion. The record reflects that BMH-NM actively pursued the motion and took no steps in this action which would otherwise indicate that it did not intend to be dismissed from this action due to Plaintiffs' untimely service of process.

Moreover, the lower Court properly denied Lucas' untimely and unfounded Motion to Alter or Amend BMH-NM's dismissal. As was argued below, Lucas failed to file the motion within 10 days after the judgment's

entry.[17] Still, Lucas fails once again to demonstrate any intervening change in controlling law, new evidence or a need to correct a clear error of law such that would have allowed the lower court to amend the judgment under Rule 59(e).[18] Even if the Court treated the motion under Rule 60(b),[19] that rule ". . . is not an escape hatch for litigants who had procedural opportunities afforded under other rules and who without cause failed to pursue those procedural remedies. Rule 60(b) is designed for the extraordinary, not the common place."[20] "Further, Rule 60(b) motions should be denied where they are merely an attempt to relitigate the case."[21] As is evident by the brief and record below, Lucas failed to avail himself of the numerous procedural opportunities to cure the defective service and simply failed to do so. Moreover, the motion attacking the judgment was nothing more than Lucas' effort to re-litigate the dismissal order which was thoroughly briefed and argued.

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See, Rule 59(e), M.R.C.P. See also, *Capital One Service, Inc. v. Rawls*, 904 So.2d 1010 (Miss. 2004).

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See *Brooks v. Roberts*, 882 So.2d 229, 223 (Miss. 2004).

19

See *Bruce v. Bruce*, 587 So.2d 898, 904 (Miss.1991).

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Palmer v. Grand Casinos of Miss., Inc., 744 So.2d 745, 746 (Miss.1999) (quoting *State ex rel. Miss. Bureau of Narcotics v. One (1) Chevrolet Nova Auto.*, 573 So.2d 787, 790 (Miss.1990)).

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Stringfellow v. Stringfellow, 451 So.2d 219, 221 (Miss.1984).

As such, Lucas' assertions that BMH-NM waived its affirmative defense or that Judge Lackey erred in not amending the judgment is unsubstantiated and should be rejected here.

D.
Equity Does not Void a Statute of Limitation

Lucas asserts that "this Court should reverse the trial court's dismissal on grounds of equity, justice and fairness."[22] In support of this argument Lucas relies on *Mississippi Dept of Public Safety v. Stringer*.[23] This reliance is misplaced. As the *Stringer* court noted, "we find no precedent where this Court has applied the doctrine of equitable estoppel to excuse a plaintiff's failure to comply with the statute of limitations of a Tort Claims Act."[24]

Moreover, as Lucas' brief quotes, in discussing statute of limitations, this Court has expressed:

> The primary purpose of statutory time limitations is to compel the exercise of a right of action within a reasonable time. These statutes are founded upon the general experience of society that **valid claims will be promptly pursued and not remain**

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Appellants' Brief, pg. 11. Lucas appears to assert new arguments concerning Due Process under Article 3 and Fourteenth Amendment to the U.S. Constitution and Sections 14 and 24 of Mississippi's Constitution. However, the arguments are not supported by case law and BMH-NM is otherwise unclear how they are attempting to apply these constitutional arguments to this issue except to make equity-like arguments which is addressed above.

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748 So.2d 662 (Miss. 1999).

24

Id. at ¶10.

neglected.[25]

This passage speaks directly to the issues here. Lucas neglected to pursue this action. And it was precisely this neglect which ultimately caused the dismissal. The remainder of the passage, which was not quoted by Lucas, is important and expresses the Court's general belief that legislatively created statute of limitations should not be re-written by the Court.

> Accordingly, the fact that a barred claim is a just one or has the sanction of a moral obligation does not exempt it from the limitation period . . . [t]he establishment of these time boundaries is a legislative prerogative. That body has the right to fix reasonable periods within which an action shall be brought and it its sound discretion determines the limitations period....[26]

The principles of equity are inapplicable here. Indeed, the Mississippi Legislature directs and sets the applicable limitation times, and this Court should reject Lucas' invitation to invade that province.

Finally, Lucas further appears to assert that the invocation of Mississippi's statute of limitation effects his due process of rights. Such an assertion is without merit and is being raised for the first time in this appeal.[27]

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Smith v. Sneed, 638 So.2d 1252 (Miss. 1994)(Emphasis added).

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Id.

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This Court has repeatedly held that no new issues may be raised on appeal. *Crowe v. Smith,* 603 So.2d 301, 305 (Miss.1992) (appellant is not entitled to raise a new issue on appeal); *Parker v. Game and Fish Comm'n,* 555 So.2d 725, 730 (Miss.1989) (trial judge will not be put in error on a matter which has not been presented to him); *Mills v. Nichols,* 467 So.2d 924, 931 (Miss.1985) (trial court will not be put in error on appeal for

"There is no absolute right of access to the courts."[28] In fact, all that is required is that litigants are provided "a *reasonable* right of access to the courts - a reasonable opportunity to be heard."[29] Accordingly, "[l]imiting the time within which actions may be brought has in numerous cases been held to be a rational, non-arbitrary means of achieving economic ends."

Principles of equity, nor Lucas' due process arguments, provide sufficient justification to overturn the lower Court's findings and judgment. As such, BMH-NM respectfully requests that this assignment of error be denied.

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matter not presented to it for decision).

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Townsend v. Estate of Gilbert, 616 So.2d 333 (Miss.1993)(citing, *Wayne v. Tennessee Valley Authority*, 730 F.2d 392 (5th Cir.1984)).

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Id.

CONCLUSION

Lucas failed to serve process on BMH-NM within the first 120 days of the filing of the complaint in this case. Plaintiff also failed to serve process on BMH-NM within the second 120 days granted by order of the Circuit Court of Pontotoc County. BMH-NM likewise did not waive their affirmative defenses by any action or inaction. Lucas did not serve process on BMH-NM at any time before November of 2003 - and this service was well outside the second 120-day service deadline. Lucas compounded their problem when they neglected to re-file the complaint after BMH-NM asserted untimely service in its answer. As a result, Lucas allowed the statute of limitation to expire. Therefore the Complaint was properly dismissed, with prejudice, and the Lafayette County Circuit Court's ruling should now be affirmed.

Respectfully submitted, this the 17th day of January, 2008.

By: _____

Jonathan S. Masters, Esq.

Mississippi Bar No.: [redacted]

CERTIFICATE OF FILING AND SERVICE

We, Jonathan S. Masters, One of the Attorneys for Appellee and June Monaghan, actual mailer of the Brief of Appellee, certify that we have this day forwarded via United States Mail, postage prepaid, the original and three copies of the foregoing Brief of Appellee to the Clerk of the Supreme Court of the State of Mississippi at 450 High Street, Jackson MS 39205-0249, and one (1) true and correct copy of the same to the following individuals:

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This, the 17th day of January, 2008.

JONATHAN S. MASTERS

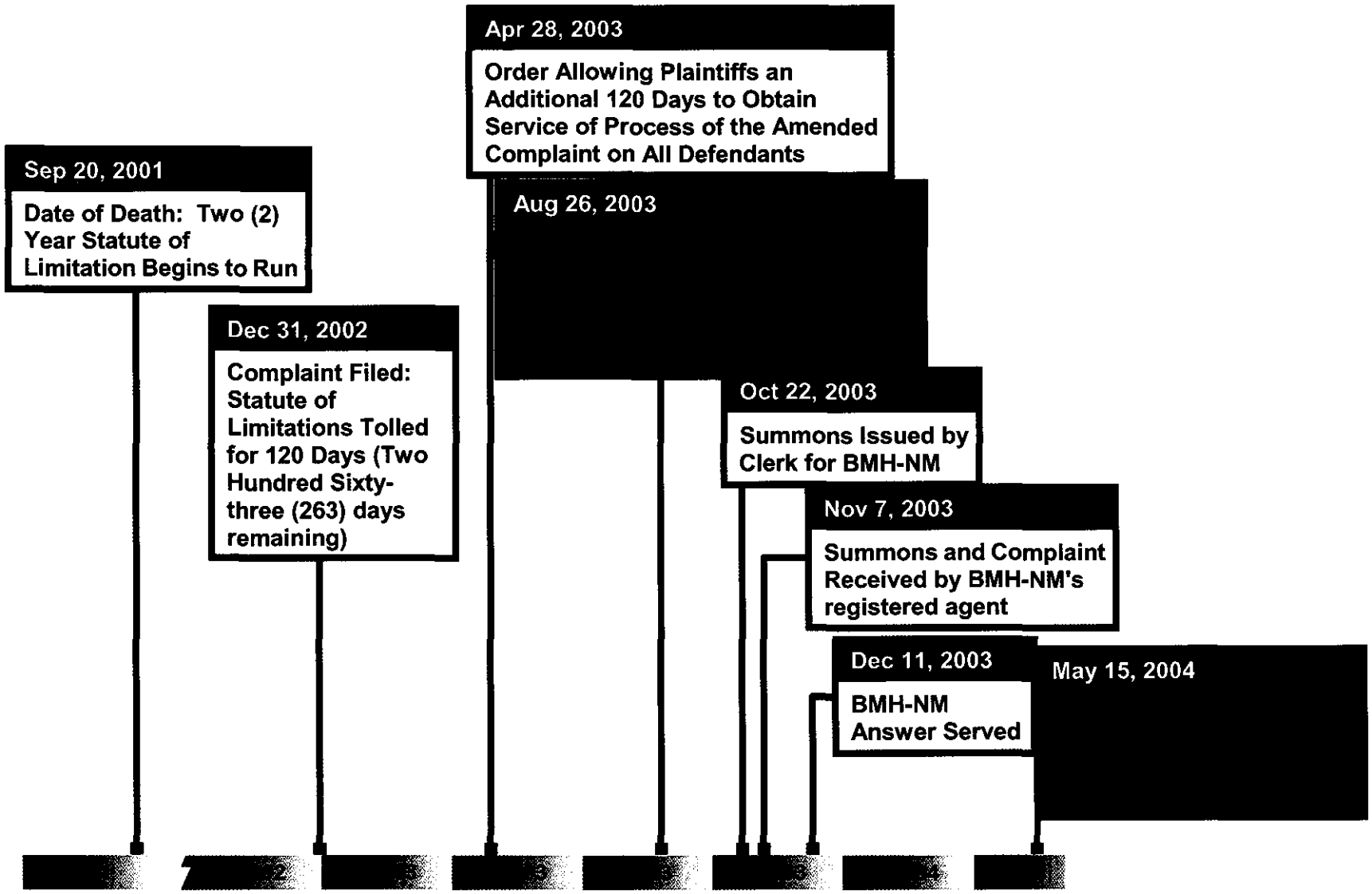
JUNE MONAGHAN

Appendix

Time Line

September 20, 2001:	Date of Death; Two (2) Year Statute of Limitations Begins to Run.
December 31, 2002:	Complaint Filed; Statute of Limitations Tolled for 120 days (Two Hundred Sixty-three (263) days remaining.)
April 28, 2003:	Order Allowing Plaintiffs an Additional 120 Days to Obtain Service of Process of the Amended Complaint on all Defendants.
August 26, 2003:	Expiration of 120 Days to Serve Process of the Amended Complaint; Statute of Limitations Begins to Run Two Hundred Sixty-three Days (263) remaining
October 22, 2003:	Summons Issued by Clerk for BMH-NM.
November 7, 2003:	Summons and Complaint Received by BMH-NM's Registered Agent.
December 11, 2003:	Date BMH-NM's Answer Served.
May 15, 2004:	Statute of Limitations Expired as to BMH-NM. (Two Hundred Sixty-three (263) days from August 26, 2003).

Time Line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Date of Death: Two (2) Year Statute of Limitation Begins to Run
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Oct 22, 2003
Summons Issued by Clerk for BMH-NM
Nov 7, 2003
Summons and Complaint Received by BMH-NM's registered agent
Dec 11, 2003
BMH-NM Answer Served
May 15, 2004