

**RAEL V. PRESBYTERIAN HEALTHCARE SERVICES**

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**JOHN RAEL,**

Plaintiff-Appellant,

v.

**PRESBYTERIAN HEALTHCARE SERVICES,  
and GASTROENTEROLOGY ASSOCIATES**

**and DR. VIJAY AGARWAL,**

Defendants-Appellees.

NO. 29,600

COURT OF APPEALS OF NEW MEXICO

November 18, 2009

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Geraldine E.  
Rivera, District Judge

**COUNSEL**

James Rawley, Albuquerque, NM, for Appellant

Rodey, Dickason, Sloan, Akin & Robb, P.A., Sandra L. Beerle, Albuquerque, NM, for  
Appellee Presbyterian Healthcare Services

Davis Gay, P.C., Lara White Davis, Albuquerque, NM, for Appellee Gastroenterology  
Associates and Dr. Vijay Agarwal

**JUDGES**

JAMES J. WECHSLER, Judge. WE CONCUR: JONATHAN B. SUTIN, Judge,  
RODERICK T. KENNEDY, Judge

**AUTHOR:** JAMES J. WECHSLER

**MEMORANDUM OPINION**

**WECHSLER, Judge.**

Summary affirmance was proposed for the reasons stated in the notice of proposed disposition. No memorandum opposing summary affirmance has been filed, and the time for doing so has expired.

Affirmed.

**IT IS SO ORDERED.**

**JAMES J. WECHSLER, Judge**

**WE CONCUR:**

**JONATHAN B. SUTIN, Judge**

**RODERICK T. KENNEDY, Judge**