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BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

**RBR Management LLC, dba
Community Ambulance**

Applicant.

Docket 2017-EMS-0104-DHS
(EMS No. 0283)

**RESPONSE TO DIGNITY'S MOTION TO
INTERVENE**

The AMR CON holders (as specifically identified on p. 2 of their June 14, 2017 Motion for Intervening Party Status) hereby respond to Dignity Health's motion seeking intervening party status. AMR agrees with Dignity's subject matter jurisdiction/scope of regulatory authority proposition, but disagrees Dignity needs intervening party status.

Dignity Health has correctly detailed why the ancillary contract issue that Applicant Community Ambulance has attempted to insert into this matter, by virtue of its misinterpretation and attempted misuse of a contract for ambulance services entered into by AMR and Dignity, is beyond the proper scope of these proceedings. AMR will not repeat or elaborate upon that law here. However, Dignity incorrectly proposes that its intervention is required. Rather, Dignity should simply demand that Community Ambulance, which has no standing to raise the contract interpretation issue herein, retract its response to AMR's motion seeking intervening party status. Applicant's improper attempt to use a contract that it is not a party to serves as the basis for its objection and attempt to prevent AMR's participation as an intervening party. The combined demands

1 of Dignity and AMR (that Community Ambulance remove itself from an issue it has no
2 standing to assert) should suffice, and Dignity's intervention would not be necessary.

3 RESPECTFULLY SUBMITTED THIS 20th day of July, 2017.

4 **FLETCHER STRUSE FICKBOHM & WAGNER PLC**

5 /s/ Ronna L. Fickbohm
6 Ronna L. Fickbohm
7 Attorneys for AMR CON holders

8 Pursuant to Case Management
9 Order 1, electronic filing and
10 service of the foregoing through
11 <https://portal.azoah.com/oedf/>,
12 has been done this 20th day of
13 July, 2017

14 BY: /s/ Linda Clark
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