

**In the Supreme Court of the United States**

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HEALTH AND HOSPITAL CORPORATION OF MARION COUNTY, INDIANA, ET AL.,  
*Petitioners*

*v.*

GORGI TALEVSKI, BY HIS NEXT FRIEND IVANKA TALEVSKI

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**ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT**

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**SUGGESTION OF DEATH AND  
MOTION FOR SUBSTITUTION OF A PARTY**

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**I. SUGGESTION OF DEATH**

The authorized representative of the estate of Respondent Gorgi Talevski and undersigned counsel hereby gives notice of Mr. Talevski's death on October 6, 2021.

**II. MOTION FOR SUBSTITUTION OF A PARTY**

Supreme Court Rule 35.1 provides, "If a party dies after the filing of a petition for a writ of certiorari to this Court, or after the filing of a notice of appeal, the authorized representative of the deceased party may appear and, on motion, be substituted as a party."

On November 23, 2021, Petitioners filed a petition for a writ of certiorari to review the judgment of the U.S. Court of Appeals for the Seventh Circuit, entered on July 27, 2021 (petition for rehearing and en banc hearing denied August 25, 2021). Mr. Talevski, a party

to the underlying case, died after the Seventh Circuit entered the Judgment and before Petitioners filed their petition for a writ of certiorari.

Ivanka Talevski is the executor and authorized representative of Mr. Talevski's unsupervised estate. *See* Exhibit A. Ms. Talevski files this motion to substitute herself, in her capacity as executor, as a party in place of Gorgi Talevski. Ms. Talevski respectfully requests the Court grant her motion to substitute a party. Petitioners have been notified and consent to this request.

Respectfully submitted,

/s/ Andrew T. Tutt

Andrew T. Tutt

*Counsel of Record*

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*Counsel for Respondent*

February 28, 2022

# EXHIBIT A

STATE OF INDIANA )  
 ) SS:  
COUNTY OF PORTER )

IN THE PORTER COUNTY  
COURT-PROBATE DIVISION

CAUSE NO:

**FILED**

February 14, 2022

PORTER COUNTY CIRCUIT &  
SUPERIOR COURT

AO

IN THE MATTER OF THE  
UNSUPERVISED ESTATE OF GORGI  
TALEVSKI, DECEASED

ORDER GRANTING PETITION FOR APPOINTMENT  
OF PERSONAL REPRESENTATIVE

Comes now the Petitioner, Ivanka Talevski, and requests this court to issue an order appointing her as the personal representative of the unsupervised estate of Gorgi Talevski, and authorizing the personal representative to administer the decedent's estate as an unsupervised estate.

And the court having examined said Petition and being duly advised, now finds that the Petition for Appointment should be granted.

SO ORDERED: **February 14, 2022**

Ana Patricia Osan

Magistrate Superior  
Judge, Porter County Court

~~Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022~~