APPENDIX

APPENDIX A

Court of Appeal, Fourth Appellate District, Division Three
Brandon L. Henson, Clerk/Executive Officer
Electronically FILED on 9/4/2025 by Israel Valencia, Deputy Clerk

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

HUGUETTE MOLINA AMADOR, Plaintiff and Appellant, v. AHMAD ABOU ABBASS et al., Defendants and Respondents.	G065047 (Super. Ct. No. 30-2023-01349357) O R D E R

Appellant's renewed emergency motion to stay enforcement of costs pending appeal is DENIED.

MOTOIKE, ACTING P. J.

* Before Motoike, Acting P. J., Delaney, J., and Scott, J.

Court of Appeal, Fourth Appellate District, Division Three
Brandon L. Henson, Clerk/Executive Officer
Electronically FILED on 5/2/2025 by Lori Pickrell, Deputy Clerk

COURT OF APPEAL - STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION THREE

HUGUETTE MOLINA AMADOR,
Plaintiff and Appellant,
v.
AHMAD ABOU ABBASS et al.,
Defendants and Respondents.

G065047
Orange County Super. Ct. No. 30-2023-01349357

On April 15, 2025, the clerk's transcript was filed with the court of appeal.

On May 1, 2025, superior court clerk B. Bayo-Penaloza filed a document indicating that the April 15, 2025, transcript was incomplete. Bayo-Penaloza indicates a "corrected transcript" has now been provided.

The clerk of this court is DIRECTED to strike the clerk's transcript filed on April 15, 2025, and to file the replacement corrected transcript provided by Orange County Superior Court.

Appellant's opening brief remains due on May 27, 2025.

O'Leary, P.J.
Presiding Justice

COURT OF APPEAL - STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION THREE

HUGUETTE MOLINA AMADOR,
Plaintiff and Appellant,
v.
AHMAD ABOU ABBASS et al.,
Defendants and Respondents.

G065047
Orange County Super. Ct. No. 30-2023-01349357

On May 9, 2025, appellant filed a motion to unseal medical records for the purposes of appeal. Respondents did not file an opposition. Appellant's motion does not reference particular documents. A large clerk's transcript (5,438 pages) was filed in the public record in this appeal on May 2, 2025. To the extent the motion applies to document in the publicly filed clerk's transcript, it is DENIED as unnecessary.

More broadly, appellant is informed that it is unnecessary to unseal documents in order for this court to consider them on appeal. If there are documents that should be added to the appellate record, appellant may file a motion to augment the record with those documents, sealed or unsealed. (Cal. Rules of Court, rule 8.155(a).) To the extent medical records were exhibits in the trial court, either party may transmit those exhibits (sealed or unsealed) to this court after the respondents' brief is filed. (Cal. Rules of Court, rule 8.224.)

O'Leary, P.J.
O'LEARY, P. J.

COURT OF APPEAL - STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION THREE

HUGUETTE MOLINA AMADOR,
Plaintiff and Appellant,
v.
AHMAD ABOU ABBASS et al.,
Defendants and Respondents.

G065047
Orange County Super. Ct. No. 30-2023-01349357

This is an appeal from a defense judgment following successful summary judgment motions. On May 2, 2025, a large clerk's transcript (5,438 pages) was filed. On May 12, 2025, appellant filed an opening brief. Pursuant to briefing extensions, the three separately represented respondents have briefs due on either July 11, 2025, or August 11, 2025.

Starting on June 4, 2025, appellant filed a series of documents: (1) a motion opposing any further briefing extensions and a request for priority calendaring (Cal. Rules of Court, rule 8.240), as well as a supplemental and confidential declaration describing a life-threatening medical condition supporting priority; and (2) a motion to augment the record (Cal. Rules of Court, rule 8.155(a)).

Respondents filed several oppositions and joinders in opposition to the motions. Appellant's requests to file reply briefs in support of the motions are GRANTED. The clerk of this court is DIRECTED to file the reply briefs received from appellant in support of appellant's motions.

The motion for calendar preference is DENIED. However, the court will examine additional briefing extension requests for a strong showing of good cause. On the court's own motion, the time for respondent Ahmad Abou Abbass to file a respondent's brief is EXTENDED to August 11, 2025, so that the same date applies to all three respondents. The court does not presently intend to grant additional extensions to respondents to file their briefs past the current due date of August 11, 2025, plus the grace period applicable under California Rules of Court, rule 8.220(a)(1).

Appellant's motion to augment the record with a description of his ongoing medical developments that have occurred after the appeal was filed is DENIED. (*Vons Companies v. Seabest Foods* (1996) 14 Cal.4th 434, 444, fn. 3.)

O'Leary, P.J.

Presiding Justice

Court of Appeal, Fourth Appellate District, Division Three
Brandon L. Henson, Clerk/Executive Officer
Electronically FILED on 8/21/2025 by Israel Valencia, Deputy Clerk

COURT OF APPEAL - STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION THREE

HUGUETTE MOLINA AMADOR,
Plaintiff and Appellant,
v.
AHMAD ABOU ABBASS et al.,
Defendants and Respondents.

G065047
Orange County Super. Ct. No. 30-2023-01349357

On July 21, 2025, respondent Craig Allen Salcido filed a motion to augment the record with a copy of the judgment dismissing the action against him. (Cal. Rules of Court, rule 8.155(a).) On July 30, 2025, appellant filed opposition to the motion. The motion is GRANTED. The clerk of this court is DIRECTED to file the exhibit received alongside the motion on July 21 and to DEEM it part of the appellate record.

On July 31, 2025, appellant filed a motion to augment or, in the alternative, take judicial notice of a July 21, 2025, minute order from the superior court. No timely opposition was filed. The motion will be decided in conjunction with the decision on appeal. Appellant is DIRECTED to submit a copy of the minute order that is the subject of the motion. The clerk of this court is DIRECTED to receive the minute order pending a ruling by the panel deciding the appeal.

On July 31, 2025, appellant filed a motion to stay enforcement of costs pending appeal. On August 4, 2025, appellant filed a related motion to vacate postjudgment orders, which appellant contends are void as entered in violation of Code of Civil Procedure section 916, subdivision (a). No timely opposition was filed to these motions.

The motions are DENIED as procedurally insufficient under either California Rules of Court, rule 8.54(a)(2) or rule 8.112(a). The motions include no declarations, verifications, or exhibits to document the postjudgment proceedings and orders at issue in the motions.

Moreover, the motions fail on the merits. Trial courts retain jurisdiction to award attorney fees and costs despite the perfection of an appeal from the judgment. (*Korchemny v. Piterman* (2021) 68 Cal.App.5th 1032, 1052 [characterizing as "frivolous" the argument to the contrary].) Postjudgment orders are separately appealable. (Code Civ.

Proc., § 904.1, subd. (a)(2).) A timely perfected appeal from a postjudgment award of costs automatically stays the enforcement of that award. (Code Civ. Proc., § 917.1, subd. (d); see *Quiles v. Parent* (2017) 10 Cal.App.5th 130.)

Motoike, Acting P.J.

Acting Presiding Justice

Court of Appeal, Fourth Appellate District, Division Three
Brandon L. Henson, Clerk/Executive Officer
Electronically FILED on 6/11/2026 by Israel Valencia, Deputy Clerk

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

HUGUETTE MOLINA AMADOR, Plaintiff and Appellant, v. AHMAD ABOU ABBASS et al., Defendants and Respondents.	G065047 (Super. Ct. No. 30-2023-01349357) O P I N I O N

Appeal from judgments of the Superior Court of Orange County, Craig L. Griffin, Judge. Affirmed.

Huguette Molina Amador, in pro. per., for Plaintiff and Appellant.

Schmid & Voiles and Denise H. Greer for Defendant and Respondent Ahmad Abou Abbass.

Baker, Keener & Nahra, John P. Nahra, Brenda K. Benson and Christopher K. Berberian for Defendant and Respondent Mission Hospital Regional Medical Center.

Cole Pedroza, Kenneth R. Pedroza and Kristin Tannler; Peabody & Buccini, Thomas M. Peabody and Rocco J. Alexander for Defendant and Respondent Craig Allen Salcido.

* * *

Plaintiff Huguette Molina Amador underwent a surgery at defendant Mission Hospital Regional Medical Center (Mission Hospital). The procedure was performed by defendants Dr. Craig Allen Salcido, an obstetrician-gynecologist, and Dr. Ahmad Abou Abbass, a general surgeon. Amador filed this self-represented lawsuit against Mission Hospital, Dr. Salcido, and Dr. Abbass (collectively, defendants) for medical malpractice, alleging various injuries from the surgery.

Defendants each filed separate motions for summary judgment. Each motion was supported by an expert declaration stating that the relevant defendant had (1) complied with the applicable standard of care, and (2) not caused Amador's injuries. Because Amador did not file any conflicting expert testimony in response, the trial court found there were no triable issues of fact on the medical malpractice claim and granted summary judgment to each defendant. Separate judgments were entered.

On appeal, Amador challenges the trial court's summary judgment rulings. We need not address her arguments because her briefs lack record citations, which forfeits her arguments on appeal. Nonetheless, we have attempted to discern her arguments, and Amador has failed to meet her burden on appeal. Defendants each provided expert opinion that they acted within the applicable standard of care. By failing to present any conflicting expert testimony, Amador failed to show there were any triable issues of material fact. Nor has Amador persuaded us that the court

improperly excluded any evidence. The judgments in favor of defendants are affirmed.

FACTS AND PROCEDURAL HISTORY

I.

THE COMPLAINT

Amador filed this self-represented lawsuit in September 2023. The operative complaint (the complaint) alleged a medical malpractice claim against defendants.[1]

The complaint is uniquely structured. The caption page states the complaint is for medical malpractice. The second page is blank. The third page is also blank except for a statement that "I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct," followed by the date and Amador's signature. Attached to the complaint is a letter directed "To Whom It May Concern." The letter contains a lengthy narrative but fails to specify which of the alleged facts support Amador's medical malpractice claims against the different defendants. Thus, we have done our best to ascertain the facts underlying her causes of action.

Amador alleged that she sought treatment at Mission Hospital for abdominal pain. Dr. Salcido stated that a cyst on her left ovary was causing the pain and advised removing it through a robotic-assisted surgery. The surgery was performed at Mission Hospital on October 6, 2022 (the October 6 surgery), by Dr. Salcido and Dr. Abbass. After it was done, Amador was allegedly told that it had gone according to plan and was discharged that same day. Amador claimed that her condition worsened after she was

---

[1] While this case involves detailed medical information, virtually the entire record is public, including all of Amador's medical records. Further, Amador's briefs discuss the relevant health information in great detail.

discharged, forcing her to visit another hospital on October 9, 2022. She was diagnosed with "post-surgical perforation" of her bowels, which required further surgery. Amador was transferred back to Mission Hospital, which confirmed the bowel perforation. It appears that different physicians operated on her to address this issue.

Amador asserted various acts of negligence arising from the October 6 surgery. As to Dr. Salcido, Amador claimed the surgery was unnecessary and that he should have treated the cyst through alternative methods. She also alleged that Dr. Salcido did not inform her of the surgery's potential risks to her nearby organs, and she claimed she would not have consented to the surgery had she known them.[2] Amador further alleged that Dr. Salcido was a not a specialist in robotic surgery and had negligently caused the bowel perforation during the October 6 surgery.

Amador claimed that Dr. Abbass was a robotic-surgery specialist who allegedly cleaned the surgical area and then declined to continue the surgery. This purportedly led Dr. Salcido to take over the surgery, which purportedly caused the bowel perforation. Thus, Amador asserted that Dr. Abbass's refusal to complete the surgery contributed to her injuries.

Amador's claim against Mission Hospital is less clear. It appears to arise from alleged negligent care following the October 6 surgery. The trial court noted that her only specific allegation against Mission Hospital was that one of its nurses "refused to assist [her] in urinating, insisting [that she] could get out of bed [herself]. [The nurse's alleged] neglect led to [her] drains

---

[2] As described later, the record contains a signed consent that Amador gave for the October 6 surgery, in which she acknowledged its risks. These specific risks included "risk of injury to surrounding organs such as bowel, bladder and ureters."

overflowing, causing a rash on [her] back." Amador does not dispute this characterization on appeal.

As a result of alleged mistakes arising from the October 6 surgery, Amador claimed to have suffered permanent physical injuries. She sought "the highest possible lifelong compensation for the damages . . . endured."

II.

SUMMARY JUDGMENT

Each defendant filed a separate motion for summary judgment, and the trial court granted each one. Dr. Salcido and Dr. Abbass each submitted expert declarations from licensed physicians. These experts concluded that Dr. Salcido and Dr. Abbass had met the standard of care and had not caused or contributed to Amador's injuries. The court found these expert declarations shifted the burden to Amador to show there were triable issues of fact. Since Amador failed to provide any conflicting expert testimony, the court held that she had failed to meet this burden.

Similarly, Mission Hospital presented an expert declaration from a licensed nurse that its nursing and nonphysician staff had met the required standard of care and had not caused Amador's injuries. Amador again failed to provide any conflicting expert testimony. Thus, the court found she had failed to show a triable issue of fact.

The court subsequently entered separate judgments in favor of each defendant and against Amador. On appeal, Amador contends these judgments must be reversed because (1) there were triable issues of fact, (2) she was not required to present expert testimony on negligence, (3) the

trial court abused its discretion by excluding and sealing certain evidence, and (4) she was denied her right to a jury trial.[3]

DISCUSSION

I.

FORFEITURE OF ARGUMENTS

Defendants assert that all of Amador's arguments on appeal have been forfeited due to her failure to comply with certain appellate rules of procedure. We agree.

"'[I]t is a fundamental principle of appellate procedure that a trial court judgment is ordinarily presumed to be correct and the burden is on an appellant to demonstrate, on the basis of the record presented to the appellate court, that the trial court committed an error that justifies reversal of the judgment. [Citations.]' [Citation.] 'This means that an appellant must do more than assert error and leave it to the appellate court to search the record and the law books to test his claim. The appellant must present an adequate argument including citations to supporting authorities and to relevant portions of the record.'" (*L.O. v. Kilrain* (2023) 96 Cal.App.5th 616, 619–620.)

---

[3] We grant Dr. Salcido's motion to augment the record to include the judgment in his favor. Amador also filed a motion to augment the record to include a postjudgment motion to strike. The motion to strike was filed while this appeal was pending, so the trial court denied it for lack of jurisdiction. Amador's motion to augment is denied because the record she seeks to include is irrelevant to our analysis. (*Vons Companies, Inc. v. Seabest Foods, Inc.* (1996) 14 Cal.4th 434, 444, fn. 3 ["Augmentation does not function to supplement the record with materials not before the trial court. [Citations.] . . . Rather, normally 'when reviewing the correctness of a trial court's judgment, an appellate court will consider only matters which were part of the record at the time the judgment was entered'"].)

It is not the appellate court's "'place to construct theories or arguments to undermine the judgment and defeat the presumption of correctness.' [Citation.] Nor [is it] 'required to search the record on [its] own seeking error.'" (*L.O. v. Kilrain, supra,* 96 Cal.App.5th at p. 620.) Thus, ""'[i]f a party fails to support an argument with the necessary citations to the record, . . . the argument [will be] deemed to have been waived.'"" (*Ibid; Slone v. El Centro Regional Medical Center* (2024) 106 Cal.App.5th 1160, 1172 ["[A]n appellant waives or forfeits contentions that are not supported by citations to relevant portions of the record"].)

These procedural "rules apply both to parties represented by counsel and self-represented parties. [Citation.] 'A party proceeding in propria persona "is to be treated like any other party and is entitled to the same, but no greater consideration than other litigants and attorneys."'" (*L.O. v. Kilrain, supra,* 96 Cal.App.5th at p. 620.)

Here, the record contains over 5,000 pages of documents, including thousands of pages of medical records. Yet Amador's opening brief does not provide a single citation to the record for any of her factual assertions. Though each defendant noted this deficiency in their respondent's brief, Amador did not correct it and her reply brief again failed to support her factual assertions with record citations. Due to her failure to cite the record,

her arguments on appeal are forfeited.[4] (*L.O. v. Kilrain, supra*, 96 Cal.App.5th at pp. 619–620.)

In response, Amador argues that while "pro per applicants must follow the rules, courts have consistently held that substantial compliance – not perfection – is required." But the authority she cites for this proposition, *In re Marriage of Dellaria & Blickman-Dellaria* (2009) 172 Cal.App.4th 196, 204–205, does not support her contention. This case did not involve self-represented parties. (*Id.* at p. 197 [listing the parties' counsel].) Rather, it discussed whether strict compliance with Family Code section 2550 was required. (*Id.* at pp. 203–204.)

We recognize that courts "may take reasonable steps to enable a self-represented litigant to be heard." (*Petrosyan v. Prince Corp.* (2013) 223 Cal.App.4th 587, 594, fn. 3.) But Amador has not come close to complying – or even attempting to comply – with the above rule on record citations. (See *L.O. v. Kilrain, supra*, 96 Cal.App.5th at pp. 619–620.) Her briefs provide no usable citations for her factual assertions. Addressing her arguments would require us to scour the record on her behalf to find evidence creating a material issue of fact. This "effectively asks the appellate court to become [her] lawyer. A court cannot fairly embrace this partisan role." (*Singman v. IMDB.com, Inc.* (2021) 72 Cal.App.5th 1150, 1151–1152.)

---

[4] Amador's reply brief provides four citations for specific factual assertions. But the page numbers she provides do not match the clerk's transcript and it is unclear what source she is citing. She also generally explains where certain documents can be found: "the expert declaration from Dr. Candela (16 CT 4768-4771), the surgical report (12 CT 3509), and [Amador's] opposition and declarations (16-17 CT 4793-4808)." But she does not cite any specific information or pages from these documents. Nor is it clear what information she sought to cite from them.

Regardless, we have attempted to comprehend Amador's arguments, and she has not met her burden to show reversal is warranted.

II.

SUMMARY JUDGMENT

A. Standard of Review

"Summary judgment is appropriate only 'where no triable issue of material fact exists and the moving party is entitled to judgment as a matter of law.'" (*Regents of University of California v. Superior Court* (2018) 4 Cal.5th 607, 618.) "A defendant moving for summary judgment must show the plaintiff's causes of action have no merit. It may do so by negating an element of a cause of action . . . . The burden then shifts to the plaintiff to show a triable issue of material fact as to the cause of action or defense." (*Ghazarian v. Magellan Health, Inc.* (2020) 53 Cal.App.5th 171, 182.) Summary judgment rulings are reviewed de novo. (*Ibid.*)

B. Material Issues of Fact and Expert Testimony

"[I]n '"any medical malpractice action, the plaintiff must establish: '(1) the duty of the professional to use such skill, prudence, and diligence as other members of his profession commonly possess and exercise; (2) a breach of that duty; (3) a proximate causal connection between the negligent conduct and the resulting injury; and (4) actual loss or damage resulting from the professional's negligence.'"'" (*Powell v. Kleinman* (2007) 151 Cal.App.4th 112, 122.)

Further, for medical malpractice claims, "the plaintiff must present evidence from an expert that the defendant breached his or her duty to the plaintiff and that the breach caused the injury to the plaintiff. [Citation.] '"California courts have incorporated the expert evidence requirement into their standard for summary judgment in medical

malpractice cases. When a defendant moves for summary judgment and supports his motion with expert declarations that his conduct fell within the community standard of care, he is entitled to summary judgment unless the plaintiff comes forward with conflicting expert evidence."'" (*Powell v. Kleinman, supra*, 151 Cal.App.4th at p. 123.)

Here, defendants each submitted expert declarations stating they met applicable the standard of care. Dr. Salcido submitted an expert declaration from Dr. Mel Kurtulus, a licensed physician specializing in obstetrics and gynecology with experience performing robotic assisted surgery to remove ovarian cysts. Dr. Kurtulus reviewed the complaint and Amador's relevant medical records. He noted that Amador was diagnosed with tubal ovarian abscess and ovarian torsion, and Dr. Salcido recommended a robot assisted left ovarian cystectomy with a possible left salpingo-oopherectomy (removal of ovary and fallopian tube).

Dr. Kurtulus noted that Dr. Salcido explained the risks of the surgery to Amador, which included bleeding, infection, and injuries to the bowels, bladder, ureters, and other organs. Amador signed a consent for Dr. Salcido to perform the surgery and acknowledged that its potential risks included "'injury to surrounding organs such [as] bowel, bladder and ureters.'"

The surgery occurred on October 6, 2022. Dr. Kurtulus observed that after it commenced, Dr. Salcido determined "the left fallopian tube and ovary were densely adherent to the rectosigmoid colon," which obscured the surgical area. To address this issue, Dr. Salcido called in Dr. Abbass to dissect tissue from the surgical site. After Dr. Abbass was finished, he left and Dr. Salcido proceeded to remove the left ovary and fallopian tube without

complication. Amador tolerated the procedure well and was discharged home later that day.

Based on his review of Amador's medical records, Dr. Kurtulus opined that Dr. Salcido had complied with the applicable standard of care. He likewise concluded that no negligent act or omission by Dr. Salcido had caused or contributed to Amador's injuries. In particular, it was appropriate for Dr. Salcido to call in Dr. Abbass, a general surgeon, to address the adhesions obscuring the surgical site so that surgery could be completed. Further, he concluded there was no evidence that Amador's bowel was perforated during the October 6 surgery. Rather, he believed "the perforation spontaneously occurred after the surgery, in the absence of negligence" due to preexisting diverticulitis and diverticulosis.[5] Dr. Kurtulus likewise opined that "there was no evidence of complications" during the surgery, and it was proper for Dr. Salcido to discharge Amador the day of the surgery

Dr. Abbass submitted the expert declaration of Dr. Frank C. Candela, a licensed surgeon. Dr. Candela also reviewed Amador's medical records and the complaint. Dr. Candela reached many of the same conclusions as Dr. Kurtulus. In particular, Dr. Candela observed that while Dr. Salcido was performing the surgery, Dr. Abbass was called to address "the fallopian tube appearing densely adherent to the sigmoid colon." Dr. Abbass separated the left fallopian tube from the sigmoid colon so that Dr. Salcido could complete the procedure. Dr. Salcido then removed the left ovary and fallopian tube. Dr. Candela observed that there was no sign of bowel

---

[5] The complaint does not mention Amador's fallopian tube. But her appellate briefs argue that Dr. Salcido negligently removed a portion of her fallopian tube. Dr. Kurtulus believed the removal of the fallopian tube was necessary to complete the surgery.

perforation during the surgery. Rather, the medical records indicated that plaintiff "tolerated the procedure well," was in stable condition, and was discharged home later that day.

Dr. Candela opined that based on his review of the medical records, Dr. Abbass had met the applicable standard of care. He also believed that none of the treatment Dr. Abbass provided caused or contributed to Amador's injuries. Rather, like Dr. Kurtulus, he believed the bowel "perforation spontaneously occurred after surgery as a result of [Amador's] diverticulitis and in the absence of any negligence."

Mission Hospital submitted an expert declaration from Pauline Lamanski, a registered nurse. Ms. Lamanski provided opinions concerning the care provided to Amador by Mission Hospital's nurses and nonphysician staff before, during, and after the October 6 surgery.[6] Based on her review of Amador's medical records, she concluded that Mission Hospital's nonphysician staff had acted within the standard of care. Ms. Lamanski also opined that nothing the nurses or nonphysician staff did or failed to do caused or contributed to Amador's injuries.

Amador did not provide any expert testimony in response to the above declarations. Since the expert testimony above established that Dr. Salcido, Dr. Abbass, and Mission Hospital all acted within the applicable standard of care and did not cause Amador's injuries, they were entitled to summary judgment. (*Powell v. Kleinman, supra,* 151 Cal.App.4th at p. 123.)

---

[6] Amador contends that Ms. Lamanski was "not qualified to give opinions on major surgeries." However, Ms. Lamanski's opinions were confined to the actions performed by nurses and nonphysician staff. Amador has not shown that these topics were beyond Ms. Lamanski's qualifications.

In response, Amador claims she did not need to provide expert testimony under "the 'common knowledge' exception" because each defendant's negligence was "so clear as to be comprehensible to a layperson." Specifically, she asserts that "[t]he facts here – perforation of the bowel during a routine cyst removal, failure to document complications, and removal of a healthy fallopian tube – are sufficient to support application of the 'Common Knowledge' exception."

We disagree. As our Supreme Court has explained, "[t]he 'common knowledge' exception is principally limited to situations in which the plaintiff can invoke the doctrine of res ipsa loquitur, i.e., when a layperson 'is able to say as a matter of common knowledge and observation that the consequences of professional treatment were not such as ordinarily would have followed if due care had been exercised.' [Citations.] The classic example, of course, is the X-ray revealing a scalpel left in the patient's body following surgery. [Citation.] Otherwise, '"expert evidence is conclusive and cannot be disregarded."'" (*Flowers v. Torrance Memorial Hospital Medical Center* (1994) 8 Cal.4th 992, 1001.)

The factual issues Amador identifies are beyond a layperson's experience. A layperson has no training or common experience to determine (1) whether Amador's bowels were perforated during the surgery due negligence or whether the injury spontaneously occurred after the surgery due to a preexisting condition, (2) whether there were any complications during the surgery that should have been documented, or (3) whether it was within the standard of care to remove the fallopian tube to complete the surgery.

Amador also contends that defendants altered her medical records to hide their negligence. To support this claim, she attaches medical

records to her briefs showing they were dictated and/or signed three days after the October 6 surgery. She appears to believe this timing gap indicates the records were altered. We cannot consider documents outside the record (*Lona v. Citibank, N.A.* (2011) 202 Cal.App.4th 89, 102), and Amador does not state whether these medical records are part of the record. Further, even if we could consider them, any inference that these documents were altered would be speculative at best. "Responsive evidence that 'gives rise to no more than mere speculation' is not sufficient to establish a triable issue of material fact." (*Carlsen v. Koivumaki* (2014) 227 Cal.App.4th 879, 889–890.)

In sum, Amador failed to provide conflicting expert testimony showing that any of the defendants breached the applicable standard of care or caused her injuries. As such, she did not show a triable issue of fact, and each defendant was entitled to summary judgment. (*Powell v. Kleinman, supra*, 151 Cal.App.4th at p. 123.)

C. Exclusion of Evidence

Next, Amador claims the trial court abused its discretion by "seal[ing] and exclud[ing] [her] medical records – her primary form of proof – on the erroneous basis that their disclosure would cause irreparable harm to Defendants. The Court further disregarded the probative value of testimony from treating physicians and specialists who diagnosed her injuries."

Amador's exact argument is unclear. She appears to believe that the court's sealing of her medical records excluded them from consideration.[7] Amador misunderstands the nature of the sealing process. Court records are

---

[7] Amador fails to specify which medical records were allegedly excluded. However, she appears to be referring to the medical records attached to the declaration of Brenda K. Benson, who was Mission Hospital's counsel below.

generally accessible to the public. (*Overstock.com, Inc. v. Goldman Sachs Group, Inc.* (2014) 231 Cal.App.4th 471, 483–486.) "Unless confidentiality is required by law, court records are presumed to be open." (Cal. Rules of Court, rule 2.550(c).) However, a court may order that records be sealed, *i.e.*, shielded from public access, when certain criteria are met. (Cal. Rules of Court, rule 2.550(d).) Amador does not address whether the sealing criteria were met here, so we need not determine whether the medical records were improperly sealed.

Regardless, even if the trial court sealed the documents in error, Amador has failed to establish any prejudice. "An appellant bears the burden to show not only that the trial court erred, but also that the error was prejudicial in that it resulted in a miscarriage of justice. [Citation.] An error is prejudicial and results in a miscarriage of justice only if the reviewing court concludes, based on its review of the entire record, that it is reasonably probable that the trial court would have reached a result more favorable to the appellant absent the error." (*Jones v. Farmers Ins. Exchange* (2013) 221 Cal.App.4th 986, 999.)

Amador's reply brief appears to argue that she could not view the sealed documents and did not know what they contained. But the record contains a proof of service showing that the sealed documents were served on Amador, and she does not contest that service was improper. (See *American Express Centurion Bank v. Zara* (2011) 199 Cal.App.4th 383, 390 [proof of service creates rebuttable presumption of proper service].) Nor has Amador shown that sealing her medical records affected her ability to provide conflicting expert testimony. Thus, even if the medical records were unsealed, defendants would still have been entitled to summary judgment due to Amador's failure to provide such evidence.

To the extent Amador claims the trial court improperly excluded other evidence, she has not identified the evidence at issue. Dr. Salcido appears to have been the only defendant to have filed evidentiary objections. He "objected to [Amador's] declaration in its entirety because [she] ha[d] not shown that she is a licensed physician qualified to render medical opinion testimony. [Dr. Salcido] also objected to the exhibits offered by [Amador] as, among other things, lacking foundation." The court sustained Dr. Salcido's "objections . . . to the extent that they challenge the evidence submitted by [Amador], i.e., the declaration and exhibits."

Amador has not shown any error in the trial court's evidentiary rulings. She has not explained how she was qualified to render medical opinion, nor has she set forth any foundation for the excluded exhibits. We cannot make these arguments for her. (*Hernandez v. First Student, Inc.* (2019) 37 Cal.App.5th 270, 277.)

D. Right to Trial

Finally, Amador contends she was improperly deprived of her right to a jury trial because the trial court granted defendants summary judgment. However, "in civil cases the right to jury trial does not ripen 'unless there is a genuine issue of material fact suitable for a jury to resolve.' [Citation.] This is why courts may grant summary judgment in civil cases without offending the losing party's right to a jury trial . . . ." (*People v. $2,709 United States Currency* (2014) 231 Cal.App.4th 1278, 1285.) Since Amador has not shown any error in the court's summary judgment rulings, she was not improperly denied her right to a jury trial.

DISPOSITION

The judgments in favor of Mission Hospital, Dr. Salcido, and Dr. Abbass are affirmed. In the interests of justice, each party shall bear their own costs on appeal.

MOORE, ACTING P. J.

WE CONCUR:

DELANEY, J.

SCOTT, J.

APPENDIX B

Court of Appeal, Fourth Appellate District, Division Three
Brandon L. Henson, Clerk/Executive Officer
Electronically FILED on 7/13/2026 by Israel Valencia, Deputy Clerk

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

HUGUETTE MOLINA AMADOR, Plaintiff and Appellant, v. AHMAD ABOU ABBASS et al., Defendants and Respondents.	G065047 (Super. Ct. No. 30-2023-01349357) ORDER DENYING MOTION TO AUGMENT; AND DENYING PETITION FOR REHEARING

On June 23, 2026, this court received from appellant a motion to augment and exhibits in support thereof. The clerk of this court is DIRECTED to file the motion. The motion is DENIED.

The petition for rehearing is also DENIED.

MOORE, ACTING P. J.

WE CONCUR:

DELANEY, J.

SCOTT, J.

HUGUETTE MOLINA AMADOR
8537 Cashio Street 1/2
Los Angeles, California, 90035
310.855.2550
Huguettema69@hotmail.com

Plaintiff and Appellant in Pro Per

COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT, DIVISION THREE

HUGUETTE MOLINA AMADOR Petitioner/Plaintiff, v. PROVIDENCE MISSION HOSPITAL ET AL, Respondent/Defendant	Case No.: G-065047 Superior Court Case No. 30-2023-01349357- CU PN-NJC PETITION FOR REHEARING (Cal. Rules of Court, rule 8.268) Appeal from the Superior Court Of California, County of Orange.

TO THE HONORABLE PRESIDING JUSTICE AND ASSOCIATE JUSTICES OF THE COURT OF APPEAL

Appellant respectfully petitions for rehearing pursuant to California Rules of Court, rule 8.268, because the Opinion filed on June 11, 2026, appears to have overlooked or misapprehended material facts contained in the appellate record and material issues raised by Appellant concerning the propriety of summary judgment.

The Opinion affirms the judgments primarily on the ground that Appellant allegedly forfeited her claims by failing to provide sufficient citations to the appellate record. However, the appellate record contained extensive medical records, operative reports, imaging studies, declarations, motions, and evidence submitted in opposition to summary judgment that directly addressed the issues raised on appeal.

More importantly, the Opinion does not address whether the evidence identified by Appellant created triable issues of material fact concerning:

1. Whether Dr. Craig Allen Salcido possessed the necessary robotic surgical qualifications, privileges, training, and competency to perform the Da Vinci robotic procedure at issue; Medical Board of California report, CT p. 5105.
2. Whether the October 6, 2022, robotic surgery was medically necessary; a study performed on June 16, 2022, and signed by Dr. Patrick Magoon states that the "cyst more posteriorly has resolved."
3. Whether the bowel perforation occurred intraoperatively during the robotic procedure.
4. Whether informed consent was valid, complete, and based upon accurate disclosures; CT p. 5110. The consent document appears altered, as the risks were typed rather than handwritten like the remainder of the document.
5. Whether operative records and consent documents were altered or inconsistent with later medical findings. While Appellant was receiving emergency treatment at Providence St. John's Health Center in Santa Monica, Appellant spoke by telephone with Dr. Salcido and asked what had occurred. Thereafter, Dr. Salcido proceeded to alter the medical records. Such activity was recorded in the electronic medical record system on October 9, 2022, at 4:34 p.m. and 5:50 p.m. See alterations at CT pp. 5103, 5146, 5147, and 5148.
6. Whether a healthy left fallopian tube was removed while the ovary and ovarian lesion remained present.
7. Whether subsequent imaging studies demonstrated that the ovarian lesion allegedly removed during surgery remained substantially unchanged after the procedure. Wave Imaging study dated June 20, 2023, CT p. 5117. Additional ultrasound studies dated May 5, 2025, from United Medical Imaging of Century City

These issues involve material factual disputes that ordinarily should be resolved by a trier of fact rather than on summary judgment.

Appellant respectfully contends that the Opinion misapprehended both the appellate record and the scope of Appellant's arguments concerning the alleged forfeiture of her claims.

The Opinion concludes that Appellant forfeited her claims because her briefs allegedly failed to provide sufficient citations to the appellate record. However, the record before this Court contained references to operative reports, imaging studies, medical records, and evidence submitted in opposition to summary judgment.

The Court's Opinion states that Appellant failed to adequately support her arguments with record citations. However, forfeiture is discretionary rather than jurisdictional, particularly where the record is before the Court and the issues involve substantial medical injuries and disputed material facts.

Additionally, Appellant respectfully submits that the Opinion overlooks the principle that summary judgment should not be granted where reasonable conflicting inferences exist regarding causation, operative complications, documentary inconsistencies, and informed consent.

The Opinion also relies significantly upon the absence of contradictory expert testimony. However, Appellant argued that portions of this case fall within the "common knowledge exception." Specifically, a reasonable juror could understand without expert testimony the significance of the alleged removal of a healthy fallopian tube rather than the ovarian lesion that was purportedly the subject of the surgery. A bowel perforation, emergency colectomy, colostomy, and subsequent complications occurred immediately following a procedure represented as routine and "successful," while subsequent medical records and imaging studies continued to demonstrate the presence of the ovarian lesion that was allegedly removed and further support Appellant's contention that the surgery was unnecessary.

All imaging studies and medical findings obtained after the surgery contradict Dr. Craig A. Salcido's operative report.

Appellant further respectfully submits that the Court did not fully address the evidentiary and procedural issues raised concerning medical records that were sealed, the exclusion of evidence such as the California Medical Board reports, and the denial of motions such as the Motion to Unseal Medical Records and the Motion in Limine, all of which affected the appellate record and imposed limitations on Appellant's ability to present the complete factual history of the case.

The appellate record and Clerk's Transcript appear to be incomplete. For example, the Motion to Unseal Medical Records filed in the Superior Court on November 30, 2024 (CT p. 5274), appears only as a title entry in the Clerk's Transcript, but the actual motion and supporting documents are not included. Likewise, the Motion in Limine filed on lower court, does not appear in the appellate record, despite having been filed in the trial court.

Appellant Huguette Molina Amador respectfully contends that substantial procedural and evidentiary errors occurred during the summary judgment proceedings, which prevented Appellant from fully presenting evidence establishing negligence, causation, and substantial disputed issues of material fact.

The Court's opinion appears to have overlooked the significance of Appellant's Motion to Unseal Medical Records and Motion in Limine, both of which were filed in the trial court and directly affected Appellant's ability to present and support her claims.

The exclusion or omission of these motions from the appellate record deprived the Court of material context concerning Appellant's efforts to obtain access to critical medical evidence and to challenge evidentiary issues central to the summary judgment proceedings.

These motions were not collateral matters; rather, they concerned the admissibility, accessibility, and evaluation of evidence bearing directly on the existence of triable issues of material fact.

Their absence from the appellate record may have contributed to the Court's conclusion that Appellant failed to adequately support her arguments with record citations, when in fact Appellant had actively sought to place these matters before the trial court and preserve them for appellate review.

Appellant has separately requested augmentation and/or correction of the appellate record to include motions and filings that were presented in the trial court but do not appear in the Clerk's Transcript. Because these materials bear directly on the issues discussed in this Petition, Appellant respectfully requests that the Court consider them in determining whether rehearing is warranted.

I. The Opinion Overlooked Material Evidence Identified by Appellant

Appellant did oppose Defendants' Motions for Summary Judgment. However, on or about August 26, 2024, the trial court sealed Appellant's medical records, substantially impairing Appellant's ability to present and rely upon critical medical evidence demonstrating:

1. The nature and extent of Appellant's injuries.
2. The lack of medical necessity for the October 6, 2022, robotic surgery.
3. Evidence contradicting Defendants' expert opinions; and
4. Evidence concerning Defendant Dr. Salcido's robotic surgical qualifications and credentials, including records from the Medical Board of California.

The sealing of these records effectively prevented Appellant from fully proving her injuries and rebutting Defendants' expert declarations.

II. The Court Should Reconsider Its Forfeiture Determination; Triable Issues Existed Regarding Dr. Salcido's Robotic Qualifications and Competency

Appellant also presented evidence and arguments questioning whether Defendant Dr. Craig Allen Salcido possessed adequate robotic surgical training and qualifications to perform the Da Vinci robotic procedure at issue.

Appellant discovered that the Medical Board of California does not publicly reflect robotic or laparoscopic certifications, training, or studies associated with Defendant Dr. Salcido beyond his general physician and surgeon licensure classification. Appellant therefore raised substantial questions concerning his qualifications and competency to perform the robotic procedure at issue.

Under California Business and Professions Code section 2052, the unauthorized practice of medicine is prohibited. Appellant respectfully contends that a substantial issue existed regarding whether Defendant possessed the necessary qualifications, privileges, training, and robotic surgical competency required to perform the complex robotic procedure involved in this case.

Additionally, a signed consent form or waiver does not shield a physician from liability for "negligent conduct." A physician remains responsible when an injury would not ordinarily have occurred under the care of a reasonably careful health care provider possessing similar education, training, and experience.

Use of advanced surgical equipment without proper training may constitute "gross negligence". (See Keister v. Superior Court (2015) 240 Cal.App.4th 1397.)

Appellant further contends that the medical records and consent documentation contain alterations and inconsistencies. See CT pp. 5103, 5146, 5147, and 5148. Appellant alleges that modifications were made to the medical record on October 9, 2022, including entries reflected

at approximately 4:34 p.m. and 5:50 p.m. Appellant contends that these issues, together with allegations of record alteration, abandonment of care, and long-term injury, warranted full consideration and precluded summary judgment.

Falsification of medical records (*see People v. Mateo* (2016) 243 Cal.App.4th 1063), abandonment of care, and long-term harm—warranting full reconsideration of the lower court's summary judgment.

III. The Omission of the Motion to Unseal Medical Records and Motion in Limine Materially Affected Appellate Review

Appellant's medical records predating October 6, 2022, demonstrated that the ovarian cyst condition had resolved with antibiotic treatment under the care of Dr. Patrick D. Magoon on 06-16-2022, where the physician documented the matter as "resolved."

These records directly contradict Defendants' theory that immediate robotic surgery was medically necessary.

Additionally, imaging studies performed years later demonstrated that:

1. The left ovary remained present.
2. The cyst remained substantially unchanged.

This evidence supported Appellant's position that:

1. The robotic surgery was unnecessary.
2. The alleged pathology was misdiagnosed.
3. Healthy tissue, namely the fallopian tube, was removed.

The surgery resulted in a catastrophic bowel perforation and three subsequent emergency surgeries performed on October 10, 2022, including an exploratory laparotomy, sigmoid colectomy, end colostomy, Hartmann procedure, and placement of a subcutaneous wound VAC, followed by a final surgery on December 21, 2022, involving anastomosis, resulting in catastrophic injuries. Appellant remains awaiting additional vascular surgery for venous reflux. VAS LEG VENOUS DOPPLER FOR DVT studies performed on December 15, 2023, CT pp. 5119-5120, and additional studies performed on May 3, 2025, June 6, 2025, and May 8, 2026, allegedly demonstrate thrombosis caused by the excessive duration of surgery utilizing the Da Vinci Xi robotic system. These thromboses have caused Appellant "progressive disability".

IV. Triable Issues of Fact Existed Regarding Medical Necessity, Causation, and Informed Consent — THE COMMON KNOWLEDGE EXCEPTION APPLIES

California law recognizes the "common knowledge exception," under which expert testimony is unnecessary when negligence is obvious to a layperson using ordinary knowledge and experience.

See:
- Flowers v. Torrance Memorial Hospital Medical Center 1994.
- Curtis v. Santa Clara Valley Medical Center.
- Gannon v. Elliot.

The exception applies when a jury can reasonably infer negligence without specialized medical testimony.

Here, Appellant presented evidence that:

1. The allegedly dangerous ovarian cyst remained present years later; Wave Imaging study dated June 20, 2023, and May 5, 2025, from United Medical Imaging of Century. Healthy anatomical structures were removed.
2. Appellant suffered a bowel perforation shortly after the surgery, measuring 3.4 x 1.4 cm.
3. Multiple emergency surgeries followed.
4. Appellant's medical condition dramatically worsened after a procedure that was allegedly intended to treat a condition that had already resolved through conservative treatment

"A reasonable person could infer negligence from these circumstances without requiring specialized expert interpretation. The removal of a "healthy fallopian tube instead of the ovarian cyst" is a matter that falls within the common knowledge exception."

V. Defendants' Expert Declarations Were Insufficient and Failed to Address Material Contradictory Evidence

The expert declarations submitted by Defendants omitted material evidence, relied upon disputed and allegedly altered records, ignored medical records predating October 6, 2022, and failed to address evidence demonstrating the conservative resolution of the ovarian cyst condition.

Under California Evidence Code sections 720 and 801, expert testimony must be based upon sufficient facts, reliable methodology, and appropriate qualifications.

Appellant respectfully contends that Defendants' experts:

1. Ignored material medical evidence.
2. Relied upon speculative assumptions.
3. Failed to consider contradictory imaging studies and treatment records.
4. Offered opinions that improperly invaded disputed factual issues reserved for determination by a jury

One example of the numerous inconsistencies and disputed factual assertions appears in the declaration of Dr. Mel Kurtulus.

Dr. Kurtulus failed to consider medical records predating October 6, 2022, including records from Dr. Patrick Magoon documenting that the ovarian cyst had decreased to approximately 1.5 cm following antibiotic treatment and further noting that the matter was considered a "resolved case." Appellant contends that this directly contradicts the assertion that the surgery performed by Dr. Salcido was medically necessary. See CT p. 5157,5158.

Dr. Kurtulus further stated that Appellant suffered from ovarian torsion and extensive adhesions. However, imaging studies performed on June 21, 2022, at Providence Mission Hospital, CT pp. 5157, 5158, and 5154, state: "No convincing sonographic finding for tubo-ovarian abscess," signed by Dr. Tri M. Ngo, thereby creating a material factual inconsistency.

Additionally, Dr. Kurtulus stated that the surgical risks and complications were adequately disclosed to Appellant. Appellant disputes that assertion and contends that the procedure was described to her as routine, without full disclosure of the significant risks that ultimately occurred.

Dr. Kurtulus also stated that Appellant's left ovary, ovarian cyst, and fallopian tube were removed during surgery. Appellant disputes that assertion. According to Appellant, three subsequent imaging studies confirmed the continued presence of the cyst and the left ovary, demonstrating that only a healthy fallopian tube was removed.

Furthermore, Dr. Kurtulus offered no opinion whatsoever regarding whether Dr. Salcido possessed the robotic surgical credentials, qualifications, training, or competency necessary to perform the robotic procedure at issue.

Finally, Dr. Kurtulus stated that Dr. Salcido intraoperatively called Dr. Ahmad Abou Abbass for assistance. Appellant disputes this assertion and contends that Dr. Abbass was present from the beginning of the procedure and was originally expected to perform the surgery. The operative record states, "we placed the camera." CT p. 5151.

The same deficiencies are present in the expert opinion of Dr. Frank Candela.

Dr. Candela failed to consider medical records predating October 6, 2022, including records demonstrating that the ovarian cyst had decreased following antibiotic treatment. Despite this evidence, Dr. Candela concluded that the October 6, 2022, surgery was successful and free of complications. CT p. 5151. However, the medical records themselves reflect significant intraoperative and postoperative concerns, including an unusually prolonged time in the operating room, severely elevated blood pressure reaching approximately 219/101 mmHg, undocumented hypertensive events, and hypoglycemia. CT p. 5122.

These events occurred in conjunction with documented anesthesia records and concerns expressed by anesthesiologist Dr. Brant Wilson regarding the amount of anesthesia administered. See medical records at p. 1544: "The significant anesthesia concerns and VS in Epic were reviewed with the receiving team."

Dr. Candela also attempts to attribute Appellant's bowel injury and complications to diverticulitis. However, "diverticulosis" and "diverticulitis" are medically distinct conditions. Appellant contends that Dr. Candela improperly conflates these two conditions in an effort to attribute the injury to a preexisting condition rather than to intraoperative negligence and complications associated with the surgery performed on October 6, 2022.

Multiple studies show diverticulosis. CT pp. 5112–5113. A colonoscopy performed on February 1, 2019, showed "diverticulosis", not "diverticulitis". CT pp. 5115–5116. Another study states: CT p. 5156 "colonic diverticulosis without evidence of acute diverticulitis."

The defense theory collapses under the weight of the evidence showing that the injury was iatrogenic (surgery-caused).

Accordingly, the expert opinions lacked sufficient reliability and foundation.

VI. The Hospital's Nursing Expert Was Not Qualified to Establish the Standard of Care for Complex Robotic Surgery

Appellant also filed a Motion in Limine challenging the qualifications of the hospital's nursing expert, Pauline L. Lamanski. That motion was ignored by the lower court.

The hospital's nursing expert was not qualified to establish the applicable standard of care or causation with respect to:

1. Robotic gynecological surgery.
2. Laparoscopic surgical technique.
3. Bowel perforation during robotic surgery.
4. Emergency colectomy procedures.
5. Complex surgical decision-making.
6. Surgical credentialing and robotic competency.

The witness was not a surgeon, had never performed the procedures at issue, lacked comparable robotic surgical training, and lacked experience regarding Da Vinci robotic surgical standards.

Although nurses may testify regarding nursing care and hospital procedures, Appellant respectfully contends that the witness lacked sufficient qualifications under California Evidence Code section 720 to establish the applicable surgical standard of care for multiple complex surgical procedures.

VII. CONCLUSION

Appellant respectfully submits that rehearing is warranted because the Opinion appears to have overlooked or misapprehended material facts contained in the appellate record and material issues raised by Appellant concerning the propriety of summary judgment.

The Opinion rests primarily upon a finding of forfeiture based on alleged deficiencies in record citations. However, Appellant identified operative reports, imaging studies, medical records, declarations, and evidence submitted in opposition to summary judgment that directly related to the issues presented on appeal.

Appellant respectfully contends that the Court's forfeiture determination prevented meaningful consideration of substantial factual disputes concerning medical necessity, causation, informed consent, operative findings, and the continued presence of the ovarian lesion following surgery.

Appellant further submits that the appellate record appears incomplete. The Motion to Unseal Medical Records and Motion in Limine, both filed in the trial court and directly relevant to Appellant's ability to present evidence in opposition to summary judgment, do not appear in the Clerk's Transcript in their entirety. Their omission deprived the Court of important context regarding Appellant's efforts to obtain, present, and preserve critical evidence for appellate review.

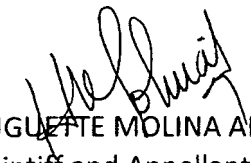
Appellant will separately file a Motion to Augment the Record seeking inclusion of motions, filings, and supporting documents that were presented to the trial court but were omitted from the appellate record. Appellant respectfully requests that the Court consider the existence and significance of these omitted materials in determining whether rehearing is warranted.

In addition, Appellant respectfully contends that triable issues of material fact existed regarding: (1) the medical necessity of the October 6, 2022 surgery; (2) the circumstances surrounding the bowel perforation and subsequent emergency surgeries; (3) informed consent; (4) alleged inconsistencies between operative documentation and subsequent medical findings; (5) the continued presence of the ovary and ovarian lesion on later imaging studies; and (6) the qualifications, privileges, training, and competency of the surgeon performing the robotic procedure.

Because these issues involve disputed facts that ordinarily should be resolved by a trier of fact rather than on summary judgment, Appellant respectfully requests that the Court grant rehearing pursuant to California Rules of Court, rule 8.268, reconsider the Opinion filed on June 11, 2026, and address the material issues identified herein.

Dated: June 23, 2026

Respectfully submitted,



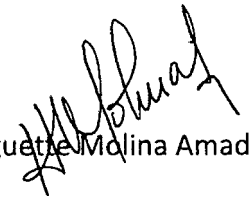
HUGUETTE MOLINA AMADOR
Plaintiff and Appellant, In Pro

CERTIFICATE OF WORD COUNT

I, Huguette Molina Amador, certify pursuant to California Rules of Court, rule 8.204(c), that this Petition for Rehearing contains 3786 words, including footnotes, according to the word-count feature of the computer program used to prepare this document.

Date: June 23, 2026

Respectfully submitted,



Huguette Molina Amador

PROOF OF ELECTRONIC SERVICE (Court of Appeal)	
Notice: This form may be used to provide proof that a document has been served in a proceeding in the Court of Appeal. Please read *Information Sheet for Proof of Service (Court of Appeal)* (form APP-009-INFO) before completing this form.	
Case Name: Huguette Molina Amador Court of Appeal Case Number: G-065047 Superior Court Case Number: 30-2023-01349357-CU-PN-NJC	

1. At the time of service I was at least 18 years of age.
2. a. My [✖] residence [ ] business address is *(specify)*:
   160 EDNA PARKWAY LAKE FOREST, CA 92630
   b. My electronic service address is *(specify)*: angie69marie@gmail.com
3. I electronically served the following documents *(exact titles)*:
   PETITION FOR REHEARING (Cal. rule 8.268), APP-009E,
4. I electronically served the documents listed in 3. as follows:
   a. Name of person served: PLEASE SEE ATTACH LIST
   On behalf of *(name or names of parties represented, if person served is an attorney)*:
   b. Electronic service address of person served: please see attach list
   c. On *(date)*: 06/23/2026

[✖] The documents listed in 3. were served electronically on the persons and in the manner described in an attachment *(write "APP-009E, Item 4" at the top of the page)*.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 06.23.2026

ANGELICA DIAZ
(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

(SIGNATURE OF PERSON COMPLETING THIS FORM)

Form Approved for Optional Use
Judicial Council of California
APP-009E [New January 1, 2017]

PROOF OF ELECTRONIC SERVICE
(Court of Appeal)

www.courts.ca.gov

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form | Save this form | Clear this form

SERVICE LIST

HUGUETTE MOLINA AMADOR V. PROVIDENCE MISSION HOSPITAL ET AL.

SUPERIOR COURT OF ORANGE- CASE NO: 30-2023-01349357-CU-PN-NJC

COURT OF APPEAL OF THE STATE OF CALIFORNIA FOURTH APPELLATE DISTRICT, DIVISION 3

CASE NO. GO65047

By E. Submission: TrueFiling

CALIFORNIA COURT OF APPEAL

Fourth Appellate District Division 3

601 W. Santa Ana Blvd

Santa Ana, Ca 92701

Telephone: (714) 571-2600

By E- Service

Brenda K. Benson, Esq Copy

Baker, Keener & Nahra

633 West Fifth Street, Suite 5500

Los Angeles, Ca 90071

Telephone: (213)241-0900

Email: bbenson@ bknlawyers.com

Email: arosenberg@bknlawyers.com

Attorneys for Co-Defendant Providence Mission Hospital Mission Viejo.

By E- Service

Thomas M Peabody, Esq Copy

Peabody & Buccini

527 Encinitas Boulevard, Suite 100

Encinitas, Ca 92024

Telephone: (760)652-3150 fax: (760) 652-3160

SERVICE LIST (Cont'd)

Email: tpeabody@pbllaw.com

Email: ralexander@pbllaw.com

COLE PEDROZA LLP

Kenneth R. Pedroza,

Email: kpedroza@colepedroza.com

Kristin Tannler

Email: ktannler@colepedroza.com

2295 Huntington Drive

San Marino, California 91108

Tel: (626) 431-2787

Fax: (626) 431-2788

Attorneys for co-defendant Craig A. Salcido MD

SCHMID & VOILES

Copy

Denise H. Greer, Esq

Frederick James, Esq

333 City Boulevard West, suite 720

Orange, Ca 92868

Tel: (714) 940-5555

Tel: (714) 940-5594

Email: dgreer@schmidvoiles.com

Email: fjames@schmidvoiles.com

Email: damo@schmidvoiles.com

Attorneys for Co-defendant Ahmad Abou Abbass MD

APPENDIX C

SUPREME COURT
FILED

AUG 19 2026

Jorge Navarrete Cler

Deputy

Court of Appeal, Fourth Appellate District, Division Three - No. G065047

S297609

IN THE SUPREME COURT OF CALIFORNIA

En Banc

HUGUETTE MOLINA AMADOR, Plaintiff and Appellant,

v.

AHMAD ABOU ABBASS et al., Defendants and Respondents.

The petition for review is denied.

GUERRERO
Chief Justice

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

HUGUETTE MOLINA AMADOR,

Petitioner,

v.

PROVIDENCE MISSION HOSPITAL REGIONAL MEDICAL CENTER, CRAIG ALLEN SALCIDO, M.D.,
AHMAD ABOU ABBASS, M.D.,

Respondents:

Court of Appeal Case No G065047

(Fourth Appellate District, Division Three)

Orange County Superior

Case No. 30-2023-01349357-CU-PN-NJC

Hon. Craig L. Griffin

PETITION FOR REVIEW

(CAL. Rules of Court, rule 8500)

HUGUETTE MOLINA AMADOR
In Pro Per
8537 Cashio Street 1/2. Los Angeles, Ca 90035
310.855.2550
huguettema69@hotmail.com

BAKER, KEENER & NAHRA
633 West Fifth Street,
Suite 5500
Los Angeles, CA 90071
Phones: (213) 241-0900
ATTORNEYS FOR CO-DEFENDANT PROVIDENCE MISSION HOSPITAL MISSION VIEJO.

PEABODY & BUCCINI
527 Encinitas Boulevard,
Suite 100
Phone: 1760 652-3150
ATTORNEYS FOR CO-DEFENDANT CRAIG A. SALCIDO, M.I.

COLE PEDROZA LLP
2295 Huntington Drive
San Marino, CA 91108
Phone: (626) 431-2787
ASSOCIATE COUNSEL/ATTORNEYS FOR CO-DEFENDANT AHMAD ABOUT ABBASS M.D.

Additional material from this filing is available in the Clerk's Office.