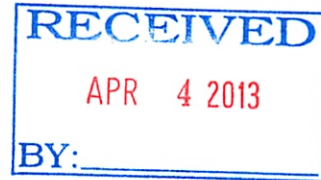


Robert J. Dickson  
ATKINSON, CONWAY & GAGNON  
Attorneys for Providence Alaska Medical Center  
and Connie Chevalier  
420 L Street, Suite 500  
Anchorage, AK 99501  
(907) 276-1700



IN THE SUPREME COURT FOR THE STATE OF ALASKA

In the Matter of the Hospitalization  
of D.G.

Supreme Court No. S-15100

**NOTICE OF NON-PARTICIPATION AND  
OBJECTION TO BEING NAMED AS AN APPELLEE**

Providence Alaska Medical Center (PAMC) and Connie Chevalier, by and through their attorneys, Atkinson, Conway & Gagnon, hereby give notice, pursuant to Rule 204(g) of the Rules of Appellate Procedure for the State of Alaska of their non-participation in Supreme Court proceeding No. S-15100.

PAMC and Ms. Chevalier also object to either of them being named as an appellee because they are not parties to this appeal nor were they parties to the lower court proceeding.

Appellate Rule 204(g) provides that "all parties to the trial court proceeding when the final order or judgment was entered are parties to the appeal." Neither PAMC nor Ms. Chevalier were parties to the trial court proceeding. Ms. Chevalier signed the application for an ex parte order, as she was required to do by AS 47.30.710(b) once she made her clinical findings that the respondent was mentally ill and constituted a danger to himself because of

LAW OFFICES  
ATKINSON, CONWAY  
& GAGNON, INC.  
420 L STREET  
SUITE 500  
ANCHORAGE,  
ALASKA 99501  
TEL: (907) 276-1700  
FAX: (907) 272-2082

active suicidal ideation. But the application was submitted not as an adversary seeking relief against the respondent. To the contrary, the application was submitted for what was considered to be the best interests of the respondent and to protect him from harm. Once the application was filed, neither Ms. Chevalier nor PAMC had anything further to do with either the respondent or the court. The respondent was transported to API for further evaluation. Consequently, there was never any adversarial relationship as contemplated by the trial court civil rules or by Appellate Rule 204(g) for "parties to the trial court proceeding."

Further, there has been no service of process of any sort on PAMC.

Rule 4(d)(4) of the Rules of Civil Procedure requires any service of process to be served on a corporation by serving "a managing member, an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process." Mr. Gottstein served his motion to vacate the ex parte order and his appellate pleadings only on the law office offices of Atkinson, Conway & Gagnon, which is not authorized to accept service of summons and complaints or any other process.

Finally, no relief is being sought against PAMC or Ms. Chevalier either in the way of damages, injunctive relief, or declaratory relief.

Consequently, both PAMC and Ms. Chevalier object to being named as a party to either the lower court proceeding or to these appellate proceedings.

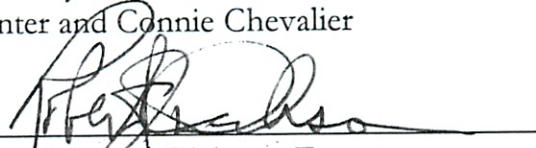
LAW OFFICES  
ATKINSON, CONWAY  
& GAGNON, INC.  
420 L STREET  
SUITE 500  
ANCHORAGE,  
ALASKA 99501  
TEL: (907) 276-1700  
FAX: (907) 272-2082

NOTICE OF NON-PARTICIPATION AND OBJECTION TO BEING NAMED AS AN APPELLEE  
*In the Matter of the Hospitalization of D.G.*, Supreme Court Case No. S-15100

Page 2 of 3  
120509/5000.99999

DATED this 3 day of April, 2013.

ATKINSON, CONWAY & GAGNON  
Attorneys for Providence Alaska Medical  
Center and Connie Chevalier

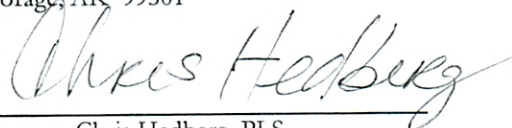
By   
Robert J. Dickson, Esq.  
ABA #7210044

I certify that on April 3, 2013,  
a copy of the foregoing document was sent  
to the following attorneys or parties of record by:

- Mail
- Email
- Facsimile
- Hand Delivery

James B. Gottstein, Esq.  
Law Project for Psychiatric Rights  
406 G Street, Suite 206  
Anchorage, AK 99501

Joanne M. Grace, Esq.  
Office of the Attorney General  
Statewide Section Supervisor  
1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, AK 99501

  
Chris Hedberg, PLS

LAW OFFICES  
ATKINSON, CONWAY  
& GAGNON, Inc.  
420 L STREET  
SUITE 500  
ANCHORAGE,  
ALASKA 99501  
TEL: (907) 276-1700  
FAX: (907) 272-2082