

BEFORE THE STATE OF NEVADA
BOARD OF FUNERAL AND CEMETARY SERVICES

IN THE MATTER OF:

MCDERMOTT’S FUNERAL AND
CREMATION SERVICE, a Funeral
Establishment, and CHRISTOPHER M.
GRANT, a Funeral Director,

Respondents.

Case No.: FB23-10

PETITIONER’S INDEX OF EXHIBITS

The STATE OF NEVADA, FUNERAL AND CEMETERY SERVICES BOARD (BOARD) by and through its counsel AARON D. FORD, Attorney General, and MATTHEW FEELEY, Deputy Attorney General, hereby submits the following hearing exhibits in the above-entitled case.

INDEX OF EXHIBITS

Exhibit	Description	Bates Number-NFCB
1	Complaint for Disciplinary Action and Notice of Hearing, set for May 15, 2024	0001-0008
2	Respondent’s Request for Continuance, dated May 2, 2024	0009-0010
3	Notice of Hearing, set for June 28, 2024	0011-0014
4	James Berryhill’s Complaint to the Board	0015-0020
5	Notice of Informal Complaint - 233B Letter	0021-0024
6	Chris Grant Response to Notice of Informal Complaint	0025-0026
7	NBFCS Investigation Report, prepared by Dr. Wayne Fazzino	0027-0045
8	Text Messages between James Berryhill and McDermott’s	0046-0049

Exhibit	Description	Bates Number- NFCB

Respectfully submitted: June 21, 2024.

Aaron D. Ford
Attorney General

By: /s/ Matthew Feeley
Matthew Feeley
Deputy Attorney General
Nevada Bar No. 13336
555 East Washington Ave., Suite #3900
Las Vegas, NV 89101
Attorneys for State of Nevada
Board of Funeral & Cemetery Services

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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of June, 2024, I served the **PETITIONER'S INDEX OF EXHIBITS** by depositing a copy of the same in the United States mail, properly addressed, postage prepaid, REGULAR MAIL addressed as follows:

McDermott's Funeral and Cremation Service
Christopher M. Grant
2121 Western Avenue, Suite 3A
Las Vegas, NV, 89102


An Employee of the Nevada State Board of Funeral & Cemetery Services

Exhibit 1

Exhibit 1

1 AARON D. FORD
Attorney General
2 Matthew Feeley
Deputy Attorney General (Bar No. 13336)
3 Division of Boards and Open Government
555 E. Washington Ave., Ste. 3900
4 Las Vegas, Nevada 89101
Telephone: (702) 486-3120
5 Facsimile: (702) 486-3768
Email: mfeeley@ag.nv.gov
6 *Attorneys for the Nevada State
Board of Funeral & Cemetery Services*
7

8 BEFORE THE NEVADA STATE BOARD OF FUNERAL & CEMETERY SERVICES

9 STATE OF NEVADA

10 In the Matter of:

Case No. FB23-10

11 MCDERMOTT'S FUNERAL AND
CREMATION SERVICE, a Funeral
12 Establishment, and CHRISTOPHER M.
GRANT, a Funeral Director,

**COMPLAINT
FOR DISCIPLINARY ACTION
AND
NOTICE OF HEARING**

13 Respondents.
14

15 The Executive Director of the Nevada State Board of Funeral & Cemetery Services ("Board
16 Staff"), by and through its counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Matthew
17 Feeley, Deputy Attorney General, hereby complains for disciplinary action against MCDERMOTT'S
18 FUNERAL AND CREMATION SERVICE ("MCDERMOTT'S"), and CHRISTOPHER M. GRANT
19 ("GRANT"), (collectively as "RESPONDENTS"), as follows:

20 **JURISDICTION**

- 21 1. At all times relevant to the Complaint, MCDERMOTT'S held a permit as a Funeral
22 Establishment issued by the Nevada State Board of Funeral & Cemetery Services ("Board").
- 23 2. At all times relevant to the Complaint, GRANT held a license as a Funeral Director issued
24 by the Board.
- 25 3. RESPONDENTS are therefore subject to the jurisdiction of the Board and Board Staff
26 and the provisions of NRS chapters 642, 451, and 452 and NAC chapters 642, 451, and 452.
- 27 4. Pursuant to NRS 642.5172 through NRS 642.524, NRS 642.130 and NRS 642.135, the
28 Board may take disciplinary action by way of this Complaint.

1 **FACTUAL ALLEGATIONS**

2 5. On or about July 10, 2023, Complainant James Berryhill ("Complainant") filed an
3 informal complaint with the Board against McDERMOTT'S.

4 6. On or about August 21, 2023, Board Staff sent a Notice of Informal Complaint ("233B
5 Letter") to GRANT, Manager and Managing Funeral Director of McDERMOTT'S.

6 7. On or about August 24, 2023, GRANT provided via email a written response to the
7 Board's 233B letter (Response Letter).

8 8. On or about September 18, 2023, Board Investigator Dr. Wayne Fazzino ("Investigator")
9 completed an Investigative Report concerning the Complainant's informal complaint.

10 9. Pursuant to the Complainant's informal complaint, Complainant's wife ("Decedent") died
11 on or about May 24, 2023. The Clark County Medical Examiner's Office informed Complainant that
12 Decedent's cause of death was suicide by intraoral gunshot to her head.

13 10. On or about May 30, 2023, Complainant made arrangements with McDERMOTT'S to
14 cremate his wife, Decedent, through the Concierge Cremation package. On the Funeral Arrangement
15 Agreement and Statement of Funeral Goods and Services Selected, there is a designation under Use of
16 Equipment, Facilities, and Staff, for I.D. Viewing, Item B.4. On this line, in the price column, a price is
17 listed, indicating that the I.D. Viewing was purchased and included in the Concierge Package.
18 Complainant signed and dated this form on May 30, 2023.

19 11. Complainant filled out a McDERMOTT'S form titled Viewing and/or
20 Dressing/Washing/Prepping Form. This form listed five services; however, only one service was
21 selected, that being for I.D. Viewing. The I.D. Viewing was approved and initialed by Jorge Medrano,
22 McDERMOTT'S Staff. The date and time of the viewing was set for "TBD." Both Complainant and
23 Jorge Medrano signed the form dated May 30, 2023.

24 12. Complainant, knowing the condition of his wife and the trauma to her body, wanted the
25 viewing in order to pray over her and have one last visit with her.

26 13. On or about June 16, 2023, Complainant called McDERMOTT'S to check on the status
27 of the visitation and when he could do the I.D. Viewing. He was told via a text message that his wife had
28 already been cremated.

1 14. GRANT, in his Response Letter, stated that an I.D. Viewing would not be feasible, and
2 "he (Complainant) would have been notified the same day of that." GRANT did not state that he
3 personally notified Complainant of such. Complainant denies ever being told an I.D. Viewing was not
4 feasible.

5 ALLEGED VIOLATIONS AND AUTHORIZED DISCIPLINE

6 RESPONDENTS committed the following violations of law:

7 15. RESPONDENTS violated NRS 642.5175(2) pursuant to NRS 642.5174(1) when they
8 engaged in unprofessional conduct by misrepresenting to Complainant that he would be able to view his
9 wife's body before her cremation, and then failing to let him do so.

10 NRS 642.5175 Grounds. **The following acts are grounds for which**
11 **the Board may take disciplinary action** against any person who holds a
12 license, permit or certificate issued by the Board pursuant to this chapter or
chapter 451 or 452 of NRS, or may refuse to issue such a license, permit or
certificate to an applicant therefor:

13 ...

14 2. Unprofessional conduct.

15 NRS 642.5174 **"Unprofessional conduct" defined.** For the purposes
of NRS 642.5175, unprofessional conduct includes:

16 1. **Misrepresentation or fraud in the operation of a funeral**
17 **establishment, direct cremation facility, cemetery or crematory, or the**
practice of a funeral director or funeral arranger.

18 16. RESPONDENTS violated NRS 642.5175(2) pursuant to NRS 642.5174(18) when they
19 engaged in an unethical practice by allowing Complainant to contract for an I.D. Viewing, setting the
20 time and place for the I.D. Viewing as "TBD", and then without contacting Complainant, or allowing
21 him to view his wife, or at least informing him that a viewing would not be possible, they simply cremated
22 his wife.

23 NRS 642.5175 Grounds. **The following acts are grounds for which**
24 **the Board may take disciplinary action** against any person who holds a
25 license, permit or certificate issued by the Board pursuant to this chapter or
chapter 451 or 452 of NRS, or may refuse to issue such a license, permit or
certificate to an applicant therefor:

26 ...

27 2. Unprofessional conduct.

28 NRS 642.5174 **"Unprofessional conduct" defined.** For the purposes
of NRS 642.5175, unprofessional conduct includes:

1 **18. Unethical practices contrary to the public interest as determined**
2 **by the Board.**

3 17. GRANT, as Managing Funeral Director for McDERMOTT's, was at all times relevant to
4 this Complaint, responsible for the proper management of McDERMOTT'S pursuant to NRS 642.345(3),
5 which states:

6 NRS 642.345 Funeral directors: Management of funeral establishment or
7 direct cremation facility prohibited without approval of Board;
8 responsibilities.

9 ...

10 3. A funeral director is responsible for the proper management of each
11 funeral establishment or direct cremation facility of which the funeral
12 director is the manager.

13 18. NRS 642.5176 sets out the authorized discipline as such:

14 NRS 642.5176 Authorized disciplinary action; private reprimands
15 prohibited; orders imposing discipline deemed public records.

16 1. If the Board determines that a person who holds a license, permit or
17 certificate issued by the Board pursuant to this chapter or chapter 451 or
18 452 of NRS has committed any of the acts set forth in NRS 642.5175, the
19 Board may:

20 (a) Refuse to renew the license, permit or certificate;

21 (b) Revoke the license, permit or certificate;

22 (c) Suspend the license, permit or certificate for a definite period or
23 until further order of the Board;

24 (d) Impose a fine of not more than \$5,000 for each act that constitutes
25 a ground for disciplinary action;

26 (e) Place the person on probation for a definite period subject to any
27 reasonable conditions imposed by the Board;

28 (f) Administer a public reprimand; or

 (g) Impose any combination of disciplinary actions set forth in
paragraphs (a) to (f), inclusive.

 2. The Board shall not administer a private reprimand.

 3. An order that imposes discipline and the findings of fact and
conclusions of law supporting that order are public records.

RELIEF SOUGHT

19. Based upon the allegations contained herein, the Executive Director prays for relief as
follows:

a. That the Board take action against RESPONDENTS as they deem appropriate
pursuant to NRS 642.5176.

1 b. That RESPONDENTS pay the applicable costs of the proceeding, including
2 investigative costs, attorney's fees, etc.

3 c. For such other and further relief as the Board may deem just and proper.

4 **NOTICE OF HEARING**

5 A meeting of the Nevada State Board of Funeral & Cemetery Services ("the Board") has been
6 scheduled for May 15, 2024, at 9:00 a.m. Pacific Time, at 3740 Lakeside Drive, Suite 201, Reno, Nevada

7 Additionally, the meeting will take place via videoconference at:

8 Zoom Video Conference
9 Zoom Meetings
10 at <https://zoom.us/>
11 Meeting ID: 253 977 5871
12 Passcode: 668556

13 Pursuant to the Board's legal authority and jurisdiction under NRS 642.135, NRS 642.5176 and
14 NRS 642.570, the above-referenced matter, to wit: Disciplinary Complaint against MCDERMOTT'S
15 FUNERAL AND CREMATION SERVICE and CHRISTOPHER M. GRANT is included as an action
16 item on the Board's agenda for May 15, 2024 and the Board will take action pursuant to proof and
17 pertinent laws.

18 RESPONDENTS are entitled to representation by counsel at the hearing. RESPONDENTS have
19 the opportunity to respond and present evidence and argument on the issue of their Disciplinary
20 Complaint. If RESPONDENTS fail to appear at the hearing, the BOARD may reach a decision in their
21 absence.

22 **NOTICE OF DISCIPLINARY COMPLAINT AND OBLIGATION TO ANSWER**

23 **COMPLAINT**

24 Pursuant to NAC 642.180, Respondents shall file an answer with the Board not later than fifteen
25 (15) days after the date on which the respondent received the notice of hearing and the formal complaint.
26 Failure to file an answer will be deemed an admission of all matters and facts contained in the Complaint.
27
28

25 ...
26 ...
27 ...
28 ...

1 Please see NAC 642.180 through NAC 642.260 for information regarding disciplinary
2 proceedings before the Board.

3 DATED this 25th day of April, 2024.
4
5

6 AARON D. FORD
7 Attorney General

8 By: */s/ Matthew Feeley*
9 MATTHEW FEELEY (Bar. No. 13336)
10 Deputy Attorney General
11 555 E. Washington Avenue, Suite 3900
12 Las Vegas, Nevada 89101
13 (702) 486-3120
14 *Attorneys for the Nevada State*
15 *Board of Funeral & Cemetery Services*
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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of April, 2024, I served the **COMPLAINT FOR DISCIPLINARY ACTION AND NOTICE OF HEARING** by depositing a copy of the same in the United States mail, properly addressed, postage prepaid, **CERTIFIED** and **REGULAR MAIL** addressed as follows:

McDermott's Funeral and Cremation Service
Christopher M. Grant
2121 Western Avenue, Suite 3A
Las Vegas, NV 89102

Certified Mail No. 7021 1970 0001 7411 4847



An Employee of the Nevada State Board of Funeral & Cemetery Services

Exhibit 2

Exhibit 2

Matthew P. Feeley

Thursday, June 20, 2024 at 14:25:38 Pacific Daylight Time

Subject: FW: McDermott's Funeral Board Hearing Attendance on 5/15/24
Date: Thursday, May 2, 2024 at 1:55:12 PM Pacific Daylight Time
From: Stephanie McGee <director@fb.nv.gov>
To: Matthew P. Feeley <MFeeley@ag.nv.gov>

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

FYI

Kind regards,

Stephanie

Stephanie Bryant McGee
Executive Director
Nevada Funeral & Cemetery Services Board
3740 Lakeside Drive, Suite 201
Reno, NV 89509
(775)825-5535
<https://funeral.nv.gov>

From: chris grant <chris.grant@mcdermottfuneralservice.com>
Sent: Thursday, May 2, 2024 12:27 PM
To: Stephanie McGee <director@fb.nv.gov>; Funeral Board Investigator <investigator@fb.nv.gov>
Subject: McDermott's Funeral Board Hearing Attendance on 5/15/24

Hello. This email is to notify you that, due to my son playing in the Nevada State High School Golf Championship, I can not attend the hearing on 5/15/24 and would request a continuance so as to explain my side of this matter. Please let me know what, if anything, can be done to reschedule. Thank you.

Chris Grant
Owner/Operator/Managing Funeral Director
McDermott's Funeral & Cremation Service
Phone: (702) 431-6161 Fax: (702) 522-8591 Cell: (702) [REDACTED]
chris.grant@mcdermottfuneralservice

For Urns and/or Cremation Jewelry, go to our Online Store [HERE!](#)

Exhibit 3

Exhibit 3

1 AARON D. FORD
2 Attorney General
3 Matthew Feeley
4 Deputy Attorney General (Bar No. 13336)
5 Division of Boards and Open Government
6 555 E. Washington Ave., Ste. 3900
7 Las Vegas, Nevada 89101
8 Telephone: (702) 486-3120
9 Facsimile: (702) 486-3768
10 Email: mfeeley@ag.nv.gov
11 *Attorneys for the Nevada State*
12 *Board of Funeral & Cemetery Services*

9 **BEFORE THE NEVADA STATE BOARD OF FUNERAL & CEMETERY**
10 **SERVICES**

11 **STATE OF NEVADA**

12 * * *

13 IN THE MATTER OF:

NOTICE OF HEARING

14 MCDERMOTT'S FUNERAL AND
15 CREMATION SERVICE, a Funeral
16 Establishment, and CHRISTOPHER M.
GRANT, a Funeral Director,

17 Respondents

18 **NOTICE OF HEARING**

19 A meeting of the Nevada State Board of Funeral & Cemetery Services ("the Board")
20 has been scheduled for June 28, 2024, at 9:00 a.m. Pacific Time, at 3740 Lakeside Drive,
21 Suite 201, Reno, Nevada. Additionally, the meeting will take place via videoconference at:

22 Zoom Video Conference

23 Zoom Meetings
24 at <https://zoom.us/>
25 Meeting ID: 253 977 5871
26 Passcode: 668556

27 Pursuant to the Board's legal authority and jurisdiction under NRS 642.135, NRS
28 642.5176 and NRS 642.570, the above-referenced matter, to wit: Disciplinary Complaint

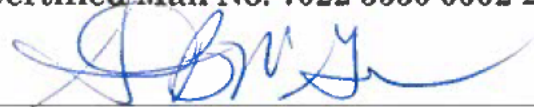
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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of June 2024, I served the **NOTICE OF HEARING** by depositing a copy of the same in the United States mail, properly addressed, postage prepaid, **CERTIFIED** and **REGULAR MAIL** addressed as follows:

McDermott's Funeral and Cremation Service
Christopher M. Grant
2121 Western Avenue, Suite 3A
Las Vegas, NV, 89102

Certified Mail No. 7022 3330 0002 2855 6822



An Employee of the Nevada Board of Funeral & Cemetery Services

Exhibit 4

Exhibit 4

Fraud Misrep; Cremation; w/o viewing

FB23-10



STATE OF NEVADA
FUNERAL AND CEMETERY SERVICES BOARD

3740 Lakeside Drive, Suite 201, Reno, Nevada 89509
Phone (775) 825-5535 * Fax (775) 507-4102
Email: nvfuneralboard@fb.nv.gov * Website: <http://funeral.nv.gov/>

COPY
RECEIVED
JUL 10 2023

Informal Complaint Form

Informal Complaint Instructions and Information

Chapter 642 of the Nevada Revised Statutes authorizes the Nevada Funeral and Cemetery Services Board (Board) to investigate accusations against persons licensed or issued permits by the Board. A notarized Informal Complaint Form must be received in the office before the Board can take any action. Please complete the Informal Complaint Form and mail to the office with any pertinent information and supporting documents that may substantiate any violations of under the purview of the Board. In order for disciplinary action to be taken, an accusation must fall within the provisions set forth in the statutes or in the regulations promulgated by the Board.

All accusations are carefully reviewed for potential violations. If potential violations are identified, an investigation will be commenced. After all the facts have been obtained and if it is determined that the actions may constitute a violation of law, the matter will be submitted for an evaluation to determine whether sufficient evidence exists for the Board to file a formal complaint. If it is determined that no potential violation exists or there is insufficient evidence to file a formal complaint, the accusation may be dismissed. You will be notified of the outcome of this review.

If a formal complaint is filed, the matter will be set for a disciplinary hearing and you may be asked to testify. At any time during this process, the respondent may choose to resolve the matter by entering into a consent decree. A consent decree is a written agreement between the parties in which the person charged admits to certain violations and agrees to a particular disciplinary action.

Person Filing Complaint (Complainant):

Name: <u>JAMES BERRY HILL</u>		
Address: [REDACTED]		
City: <u>HENDERSON</u>	State: <u>NEVADA</u>	Zip Code: <u>89044</u>
Phone Number: <u>615-</u> [REDACTED]	E-mail Address: [REDACTED] <u>PATT.NET</u>	

Complaint Filed Against (Respondent):

Name of Funeral Establishment, Crematory or Cemetery: <u>McDERMOTT'S FUNERAL AND CREMATION SERVICE</u>		
Address of Location: <u>212, WESTERN AVE A-3</u>		
City: <u>LAS VEGAS</u>	State: <u>NEVADA</u>	Zip Code: <u>89102</u>
Phone Number: <u>702-431-6161</u>	E-mail Address:	

Informal Complaint Form

Complaint Filed Against (Respondent): (Continued)

Name of Funeral Director (if applicable):

CHRISTOPHER GURANT (HE WAS OUT OF THE COUNTRY)

Name of Embalmer (if applicable):

CREMATOR → JORGE MEDRANO
SEND OVER SIGN IT

Informal Complaint Narrative

Please provide a narrative description of the complaint, explaining in detail the alleged activity you witnessed or of which you have direct and personal knowledge. Do not forget to include dates, times, places, and the names of any other people who might have witnessed the alleged activity. Use additional sheets if necessary, and provide copies of all supporting documents.

ON 5/23/2023 AT 8AM MY WIFE STUCK HER HEAD IN MY OFFICE, SAW I WAS ON THE PHONE, STATED + WAVED GOODBYE. I NEVER SAW HER AGAIN. ON 5/24/2023 THE CORONER CALLED AND SAID HER BODY WAS FOUND WITH AN INTRAOURAL GUNSHOT THROUGH THE HEAD. ON 5/30/24 I CONTACTED McDERMOTT'S FOR THEIR CONSIDERATE CREMATION PACKAGE + SPECIFICALLY REQUESTED A PERSONAL VISITATION WITH HER BODY PRIOR TO CREMATION SO THAT I COULD TOUCH HER ONE LAST TIME, PRAY NEXT TO HER BODY, AND HAVE A LAST OPPORTUNITY TO SAY GOODBYE. NOT HAVING HEARD FROM McDERMOTT'S BY 6/15/2023 I CALLED THEM FOR AN UPDATE BUT THEY WERE BUSY. THE NEXT DAY I RECEIVED A TEXT SAYING THAT THEY HAD CREMATED HER WHILE I HAD CALLED THE NIGHT BEFORE. THEY MENTIONED THE MATTER OF HER PASSING + THE TIME THAT HAD ELAPSED THEY SAID A VIEWING WOULD NOT BE POSSIBLE + STRONGLY RECOMMENDED AGAINST... NO APOLOGIES OR EMPATHY. DENYING ME A VIEWING HAS CAUSED ME SERIOUS EMOTIONAL DISTRESS. (ALL THEY WOULD HAVE HAD TO SHOW ME WAS HER HAND OR HER FINGER. JUST A SMALL PART TO TOUCH AS I'D PRAY. I KNEW WHEN I MADE THE ARRANGEMENTS THAT I WOULD NEED THIS FINAL VISITATION TO GAIN MORE PEACE + UNDERSTANDING. I THINK THEY MADE A MISTAKE + OVERLOOKED MY VISITATION REQUEST, WHICH I PAID FOR. I DON'T WANT ANOTHER FAMILY TO BE DENIED THAT LAST VISIT —

— *[Signature]* 6/26/2023

Please list any other organization you have contacted relative to this complaint:

Company/Agency/Contact Name:

Contact Address/Phone Number:

Informal Complaint Form

Have you discussed this issue/problem with the funeral establishment or funeral director?

Yes Date: 6/16/2023

No for the Owner

If yes, please detail the response: I CALLED & got a text they were with another family. I received a text without apology that she had been cremated without my final visitation

If no, please explain why: was told he is out of the country in Europe for his daughters college graduation

Testimony

Are you willing to testify at a public administrative hearing? Yes No
(Please note that even if you are unwilling to testify, this form may still be used as evidence).

Declaration

I, JAMES BERRYHILL, being duly sworn, hereby declare under penalty of perjury, that I have written the foregoing complaint and that the information furnished on this document is true and accurate to the best of my knowledge.

Signature of Complainant

Date

7/10/2023 JAB

~~6/20/2023~~

Print Name

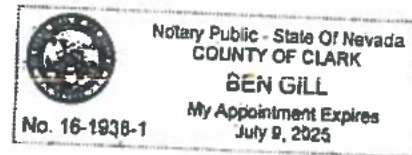
JAMES BERRYHILL

State of NEVADA)
County of CLARK) ss.

Signed and sworn to (or affirmed) before me by James Allen Berryhill
on this 10 day of July, 2023.

Notary Public

Seal



Commission Expires 07/09/25

For Board Use Only:

<input type="checkbox"/> Date Received:	7/10/23	<input type="checkbox"/> Case Number:	FB23-10
<input type="checkbox"/> Entered into Database:	7/11/23	<input type="checkbox"/> Assigned to Investigator:	7/11/23
<input type="checkbox"/>		<input type="checkbox"/> Disposition:	

Marie Paakkari

From: Stephanie McGee
Sent: Monday, July 10, 2023 12:30 PM
To: Marie Paakkari
Subject: FW: Informal Complaint Form for James Berryhill in regards to McDermotts Funeral and Cremation Services for the Cremation of Karen Berryhill my spouse
Attachments: 2023-07-10_Funeral Complaint Form.pdf

Here you go.

Kind regards,

Stephanie

Stephanie Bryant McGee
Executive Director
Nevada Funeral & Cemetery Services Board
3740 Lakeside Drive, Suite 201
Reno, NV 89509
(775)825-5535
<http://funeral.nv.gov>

From: James Berryhill <[REDACTED]@att.net>
Sent: Monday, July 10, 2023 11:34 AM
To: Stephanie McGee <director@fb.nv.gov>
Subject: Informal Complaint Form for James Berryhill in regards to McDermotts Funeral and Cremation Services for the Cremation of Karen Berryhill my spouse

I've completed the form and had it notarized. I had contracted with McDermott for the Concierge Cremation package which included a 15 minute private visitation. After not hearing from McDermott's I called and had to leave a message asking about the status of my wife's cremation and when could I have the visitation.

The last I'd seen my wife alive was 5/23/2023. The coroner called me the next day after discovering her body; and that she died by suicide of an intraoral gunshot.

I knew I'd need some private time with her body to pray over her; touch her one last time and say goodbye. I knew I'd need those moments for peace and closure during my recovery/mourning process.

But the day after I called I received a text message that said she was being cremated while I had called the night before. I didn't get that final visitation that I so desperately needed. When I asked them about it, they texted me again and said due to the length of time since my wife had passed, and the damage done during the suicide that they would've strongly recommended against any private visitation.

But that wasn't their decision to make...and although it was only an extra couple of hundred dollars to include the visitation,, which I paid....that final visitation for me would have been priceless. They wouldn't have had to show me the wound in her head....they could've just had one of her hands showing that I could touch for the last time..

But they can't give that back to me..they can't un-cremate her after the fact.

* They offered zero apologies or empathy..no nothing. I was told they service at least a hundred bodies a month...and I think the package description with the private visitation may have been overlooked. I don't want another family to be denied their final visit if that is their wish.

I hope that something can be done about their negligence.

Sincerely

James Berryhill

[REDACTED]
Henderson, NV 89044

(615) [REDACTED]

[REDACTED]@att.net

Exhibit 5

Exhibit 5

STATE OF NEVADA
FUNERAL AND CEMETERY SERVICES BOARD



3740 Lakeside Drive, Suite 201, Reno, Nevada 89509
Phone (775) 825-5535
Email: director@fb.nv.gov
Website: funeral.nv.gov

DR. RANDY SHARP
Board Chair

STEPHANIE BRYANT MCGEE
Executive Director

August 21, 2023

Sent via Certified Mail
7021 1970 0001 7411 4748

Christopher M. Grant, Manager
IHP, LLC
McDermott's Funeral and Crematory Service
2121 Western Avenue, Suite 3A
Las Vegas, NV 89102

Re: Notice of Informal Complaint, Case No. FB23-10
McDermott's Funeral and Crematory Service-EST 110; Case No. FB23-10

Dear Mr. Grant:

Pursuant to Nevada Administrative Code (NAC) 642.180(1), on or about July 10, 2023, the Nevada Funeral and Cemetery Services Board (Board) received an Informal Complaint, alleging circumstances that, if true, may place McDermott's Funeral and Crematory Service, 2121 Western Avenue, Suite 3A, Las Vegas, Nevada 89102 (McDermott's), in violation of certain statutes and regulations under the purview of the Board. An Informal Complaint file has been opened and assigned case number FB23-10. Pursuant to NAC 642.180(3), the licensee must be notified of the Informal Complaint, provided a summary thereof, and given the opportunity to respond.

A summary of the allegations set forth in the Informal Complaint is as follows: Karen Berryhill (Decedent) died on or about May 24, 2023. Decedent's husband purchased the Concierge Cremation package from McDermott's Funeral and Crematory Service that included an "ID Viewing." Decedent's husband wanted to visit, pray over, and say goodbye to Decedent prior to cremation. It is further alleged that on June 16, 2023, prior to the Decedent's cremation Decedent's husband called McDermott's and left a voice message telephone inquiry regarding the ID Viewing which had not yet taken place, but his inquiry went unanswered. The next day, Decedent's husband received a text message from McDermott's informing him that the cremation had taken place. However, prior to the cremation, Decedent's husband was not provided any viewing.

If these allegations are true, they suggest violations of the following:

NFCB0022

Nevada Revised Statutes (NRS) 642.5175(2) Unprofessional conduct as defined by **NRS 642.5174(1)** which states that unprofessional conduct includes misrepresentation or fraud in the operation of a funeral establishment, direct cremation facility, cemetery or crematory, or the practice of a funeral director or funeral arranger.

NRS 642.5175(2) Unprofessional conduct as defined by **NRS 642.5174(11)** which states that unprofessional conduct includes violation of any provision of this chapter, any regulation adopted pursuant thereto or any order of the Board.

NRS 642.5175(2) Unprofessional conduct as defined by **NRS 642.5174(12)** which states that unprofessional conduct includes violation of any state law or municipal or county ordinance affecting the handling, custody, care or transportation of dead human bodies, including, without limitation, chapters 440, 451 and 452 of NRS.

NRS 642.5175(2) Unprofessional conduct as defined by **NRS 642.5174(15)** which states that unprofessional conduct includes taking undue advantage of the patrons of a funeral establishment or direct cremation facility or being guilty of fraud or misrepresentation in the sale of merchandise to those patrons.

NRS 642.5175(2) Unprofessional conduct as defined by **NRS 642.5174(18)** which states that unprofessional conduct includes unethical practices contrary to the public interest as determined by the Board.

Pursuant to NAC 642.180(4), not later than 15 days from receipt of this Notice and Summary of Informal Complaint, the licensee, McDermott, must submit to the Board a written response to the Informal Complaint. The response must respond to the allegations made and be accompanied by all documentation that would be useful to the Board in its investigation. Please note that failure of a licensee to cooperate with the Board during an investigation, and/or failure of a licensee to provide a response to the allegations are also grounds for disciplinary action against the licensee. NAC 642.180(4-5). Your correspondence to the Board in this matter should reference Case No. F23-10.

After receipt of your response, an investigation will commence. If it is determined that no potential violations exist on the part of the licensee, or there is insufficient evidence to file a Formal Complaint, a recommendation will be made to dismiss the accusation. If it is determined that there may be violations of law, the matter will be submitted for further evaluation to determine whether there is sufficient evidence for the Board to file a Formal Complaint pursuant to NAC 642.180(9). If a Formal Complaint is filed, the matter will be set for a disciplinary hearing. NAC 642.180(6-15). Please note that you are entitled to a lawyer at all times during this process.

At any time during the process, you may choose to resolve this matter by entering into a consent decree. A consent decree is a written agreement in which the person charged admits to certain violations and agrees to a particular disciplinary action. If you wish to ultimately resolve this matter by a consent decree, please contact Rosalie Bordelove, Chief Deputy Attorney General and Board Counsel at (702)486-3263 or 555 E. Washington Avenue, Suite 3900, Las Vegas, Nevada 89101.

If you have any other questions regarding this matter, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stephanie Bryant McGee', written in a cursive style.

Stephanie Bryant McGee
Executive Director

cc: Rosalie Bordelove, Chief Deputy Attorney General

Exhibit 6

Exhibit 6

From: [chris orant](#)
To: [Stephanie McGee](#)
Subject: FB23-10 McDermott's Informal Complaint
Date: Thursday, August 24, 2023 12:40:21 PM
Attachments: [Berryhill, Karen DC.pdf](#)
[Untitled attachment 00052.htm](#)
[Berryhill, Karen CCCO REPORT.pdf](#)
[Untitled attachment 00055.htm](#)
[Berryhill, Karen Release Slip.pdf](#)
[Untitled attachment 00058.htm](#)

Hello, all.

This email is in response to the Informal Complaint we just received via mail regarding Karen Berryhill and the issue that arose after her husband, James, made arrangements with us and requested an as-is ID Viewing. She had been a Coroner's case and, as such, was picked up by Davis Funeral Home. When he made arrangements with us, at no time did he mention her cause of death. We did the paperwork, received a release to pick her up from Davis, and picked her up. It was at that time we found out that, as the attached Death Certificate shows, her cause of death was "Intraoral Gunshot Wound of Head." We notify all of our families when we pick up from outside mortuaries (a) that we picked up, (b) what the ID number on the stainless steel tag is for that Decedent, and (c) if a viewing was requested and there are any "circumstances" (Trauma, decomposition, etc.) that would make such a viewing impossible, overly traumatic, or, in the case of an as-is ID viewing which, as the name suggests is meant to ID a Decedent, unnecessary as (a) the aforementioned "circumstances" make the person unrecognizable and (b) as the Coroner has already 100% identified that person or they wouldn't have released them in the first place, that the as-is ID Viewing is not able to take place due to those "circumstances." Even though, yes, we DO include an as-is ID Viewing when someone arranges our Concierge Cremation, we do NOT if the person is deemed to have suffered extreme trauma or if they are badly decomposed. In this case, it was the former. We also, generally, tell families "the sooner, the better" with any type of viewing. Especially, when it's an as-is ID Viewing. In this case, he made arrangements on May 30, 2023. We picked up and notified him on May 31, 2023. Even under "normal" conditions, a family requesting an as-is ID view 12 working days after arrangements (16 TOTAL Days) and 23 total days after the actual date of passing, would, in most cases, be told that too much time had passed. Also, in this case, the cremation took place, as the as-is ID Viewing had been deemed not to be feasible, on June 15th (see attached Control Slip) and he would have been notified the same day of that. In this case, even though he was at the scene, the Coroner's Office had to use the Decedent's Driver photo (as noted on the attached Report of Investigation Form) because she had been deemed unrecognizable at that time. I am sorry that Mr. Berryhill is upset, but while we understand the need for families, especially ones that weren't present at the time of passing, to identify their loved ones and, as such, we even include it in our Concierge package at no additional cost, we do NOT offer it once the aforementioned "circumstances" have been established. All, personally, as owner and Funeral Director here, have received no email, phone call, or even text message from Mr. Berryhill regarding this situation. If you should have any further questions, or need anything further from me, don't hesitate to reach out.

Thank you.

Exhibit 7

Exhibit 7



STATE OF NEVADA

FUNERAL AND CEMETERY SERVICES BOARD

3740 Lakeside Drive, Suite 201, Reno, Nevada 89509

Phone (775) 825-5535 * Fax (775) 507-4102

Email: nvfuneralboard@fb.nv.gov * Website: <http://funeral.nv.gov/>

INVESTIGATION REPORT

TO: Stephanie Bryant McGee, Director
FROM: Dr. Wayne Fazzino, Investigator
DATE: September 18, 2023
REGARDING: FB23-10 James Berryhill complaint-McDermott's Funeral and Cremation Service

SYNOPSIS:

Decedent's husband contracted with McDermott's on May 30, 2023, for the Concierge Cremation package that included an ID Viewing at no extra cost. Decedent was cremated and husband was not notified when he could view her body. McDermott's cremation authorization specifies an ID Viewing with the time to be determined. McDermott's claims after the fact they would never have allowed a viewing because of decedent's extensive head trauma. This report documents the facts of the case.

NARRATIVE:

On July 10, 2023, James Berryhill filed a complaint with the Board. Mr. Berryhill claims his wife, Karen Berryhill, died on or about May 24, 2023, in Las Vegas, Nevada. On May 30, 2023, he made funeral arrangements with McDermott's Funeral and Cremation Service (Las Vegas) to cremate his wife. Attached, as **Exhibit A**, is a copy of the complaint.

On May 24, 2023, Mr. Berryhill was notified by the Clark County Medical Examiner's Office that decedent was found in a vehicle in Sloan, Nevada, a rural area south of Las Vegas. Mr. Berryhill claims the cause of death was suicide by intraoral gunshot to her head.

Mr. Berryhill alleges he made arrangements with McDermott's Funeral and Cremation Service on May 30, 2023, for his wife, Karen Berryhill, to be cremated vis-à-vis the Concierge Cremation package. On the contract, there is a designation under Use of Equipment, Facilities, & Staff, which identifies a box for I.D. Viewing. In the price column, it is handwritten, "inclu." A copy of the contract is attached, as **Exhibit B**.

Mr. Berryhill provided a copy of McDermott's "Viewing and/or Dressing/Washing/Prepping Form" for Karen Berryhill. Under Service Type:, the ID Viewing box is checked with funeral arranger, Jorge M, listed as McDermott's Staff Approving. The Date of Viewing/Service box is marked "TBD, in the Type of Viewing/Service box. The document is dated 5/30/23 and bears the signature of James Berryhill and Jorge Medrano. Attached, as **Exhibit C**, is a copy of the "Viewing and/or Dressing/Washing/Prepping Form" for Karen Berryhill.

On August 21, 2023, a 233B letter was written to Christopher M. Grant, Manager, and Managing Funeral Director at McDermott's Funeral and Crematory Service, 2121 Western Avenue, Suite 3A, Las Vegas, Nevada 89102. Attached, as **Exhibit D**, is a copy of the 233B letter.

On August 24, 2023, Mr. Grant provided a 233B response **email** addressing the allegations. Mr. Grant claims decedent's husband made arrangements with McDermott's on May 30, 2023. Mr. Grant claims at no time did Mr. Berryhill mention her cause of death. Mr. Grant claims McDermott's found out after the arrangements were made when they picked up decedent from Davis Funeral Home on May 31, 2023.

Mr. Grant further stated that McDermott's will notify their families that an I.D. Viewing will not transpire if there is extreme trauma to the body or the body is decomposed. Mr. Grant told me he was not in the country on May 30, 2023, when the arrangements were made at their facility between FA Jorge Medrano and James Berryhill. Attached, as **Exhibit E**, is a copy of Mr. Grant's 233B response letter.

On September 12, 2023, at 0825 hours, I spoke with James Berryhill. Mr. Berryhill confirmed that he made cremation arrangements at McDermott's with Jorge [Medrano]. Mr. Berryhill told me Jorge never mentioned that an I.D. Viewing would not transpire if there was trauma to the body. As noted, Mr. Berryhill wanted to pray over his wife and have one last time to visit with her.

It was further noted on Mr. Berryhill's complaint that McDermott's failed to notify him that he was not going to be allowed to have a visitation. When he did not hear from McDermott's, Mr. Berryhill called McDermotts on June 16, 2023, and asked the status of the visitation. He was told his wife had already been cremated.

During this investigation, I spoke with Jorge Medrano. Mr. Medrano claims he told Mr. Berryhill that an ID Viewing would not be allowed. He is not able to support his claim with a phone log or any notes.

CONCLUSION:

Mr. Berryhill told me he was in shock following the death of his wife, and when he met with McDermott's Funeral and Cremation Service staff. He indicated that he was not thinking straight.

Records on file with McDermott's indicate Mr. Berryhill arranged for an I.D that was included in the cost of a Concierge Cremation package. Mr. Berryhill claims he was never notified when the I.D. Viewing would transpire. When he called to inquire, he was told his wife had already been cremated.

The funeral arranger who made the arrangements claims he told Mr. Berryhill there would be no I.D. Viewing because of the trauma. That representation could not be supported with phone log records or case notes. It should also be noted that Mr. Grant's response comes from information he received from his funeral arranger as he was out of the country and was not a percipient witness to the funeral arrangements or discussions with Mr. Berryhill.

EXHIBITS:

- A. James Berryhill's complaint to the Board.
- B. McDermott's contract with James Berryhill.
- C. Copy of the "Viewing and/or Dressing/Washing/Prepping Form" for Karen Berryhill.
- D. The Board's 233B letter to McDermott's
- E. Chris Grant's 233B response email.

WITNESSES:

Dr. Wayne A. Fazzino, Investigator/Inspector
Nevada Funeral and Cemetery Services Board
3740 Lakeside Drive, Suite 201
Reno, Nevada 89509
775-████████ cell

James Berryhill
████████████████████
Henderson, Nevada 89044
702-615-████████

Jorge Medrano, FA59
McDermott's Funeral and Crematory Service
2121 Western Avenue, A-3
Las Vegas, Nevada 89102
702-431-6161

Christopher Grant, Manager/Managing Funeral Director FD920
McDermott's Funeral and Crematory Service
2121 Western Avenue, A-3
Las Vegas, Nevada 89102
702-431-6161

EXHIBIT A

Fraud Misrep; Cremation; w/o viewing

FB23-10



STATE OF NEVADA
FUNERAL AND CEMETERY SERVICES BOARD

3740 Lakeside Drive, Suite 201, Reno, Nevada 89509
Phone (775) 825-5535 * Fax (775) 507-4102
Email: nvfuneralboard@fb.nv.gov * Website: <http://funeral.nv.gov/>

COPY
RECEIVED
JUL 10 2023

Informal Complaint Form

Informal Complaint Instructions and Information

Chapter 642 of the Nevada Revised Statutes authorizes the Nevada Funeral and Cemetery Services Board (Board) to investigate accusations against persons licensed or issued permits by the Board. A notarized Informal Complaint Form must be received in the office before the Board can take any action. Please complete the Informal Complaint Form and mail to the office with any pertinent information and supporting documents that may substantiate any violations of under the purview of the Board. In order for disciplinary action to be taken, an accusation must fall within the provisions set forth in the statutes or in the regulations promulgated by the Board.

All accusations are carefully reviewed for potential violations. If potential violations are identified, an investigation will be commenced. After all the facts have been obtained and if it is determined that the actions may constitute a violation of law, the matter will be submitted for an evaluation to determine whether sufficient evidence exists for the Board to file a formal complaint. If it is determined that no potential violation exists or there is insufficient evidence to file a formal complaint, the accusation may be dismissed. You will be notified of the outcome of this review.

If a formal complaint is filed, the matter will be set for a disciplinary hearing and you may be asked to testify. At any time during this process, the respondent may choose to resolve the matter by entering into a consent decree. A consent decree is a written agreement between the parties in which the person charged admits to certain violations and agrees to a particular disciplinary action.

Person Filing Complaint (Complainant):

Name: <u>JAMES BERRY HILL</u>		
Address: <u>[REDACTED]</u>		
City: <u>HENDERSON</u>	State: <u>NEVADA</u>	Zip Code: <u>89044</u>
Phone Number: <u>615-[REDACTED]</u>	E-mail Address: <u>[REDACTED]@ATT.NET</u>	

Complaint Filed Against (Respondent):

Name of Funeral Establishment, Crematory or Cemetery: <u>McDERMOTT'S FUNERAL AND CREMATION SERVICE</u>		
Address of Location: <u>212, WESTERN AVE A-3</u>		
City: <u>LAS VEGAS</u>	State: <u>NEVADA</u>	Zip Code: <u>89102</u>
Phone Number: <u>702-431-6161</u>	E-mail Address: <u>[REDACTED]</u>	

Informal Complaint Form

Complaint Filed Against (Respondent): (Continued)

Name of Funeral Director (if applicable):

CHRISTOPHER GURANT (HE WAS OUT OF THE COUNTRY)

Name of Embalmer (if applicable):

CREMATOR → JORGE MEDRANO
SEND OVER SIGN IT

Informal Complaint Narrative

Please provide a narrative description of the complaint, explaining in detail the alleged activity you witnessed or of which you have direct and personal knowledge. Do not forget to include dates, times, places, and the names of any other people who might have witnessed the alleged activity. Use additional sheets if necessary, and provide copies of all supporting documents.

ON 5/23/2023 AT 8AM MY WIFE STUCK HER HEAD IN MY OFFICE, SAW I WAS ON THE PHONE, STATED + WAVED GOODBYE. I NEVER SAW HER AGAIN. ON 5/24/2023 THE CORONER CALLED AND SAID HER BODY WAS FOUND WITH AN INTRACRANIAL GUNSHOT THROUGH THE HEAD. ON 5/30/24 I CONTACTED McDERMOTT'S FOR THEIR CONSIDERATE CREMATION PACKAGE + SPECIFICALLY REQUESTED A PERSONAL VISITATION WITH HER BODY PRIOR TO CREMATION SO THAT I COULD TOUCH HER ONE LAST TIME, PRAY NEXT TO HER BODY, AND HAVE A LAST OPPORTUNITY TO SAY GOODBYE. NOT HAVING HEARD FROM McDERMOTT'S BY 6/15/2023 I CALLED THEM FOR AN UPDATE BUT THEY WERE BUSY. THE NEXT DAY I RECEIVED A TEXT SAYING THAT THEY HAD CREMATED HER WHILE I HAD CALLED THE NIGHT BEFORE. THEY MENTIONED THE MATTER OF HER PASSING + THE TIME THAT HAD ELAPSED THEY SAID A VIEWING WOULD NOT BE POSSIBLE + STRONGLY RECOMMENDED AGAINST... NO APOLOGIES OR EMPATHY. DENYING ME A VIEWING HAS CAUSED ME SERIOUS EMOTIONAL DISTRESS. (ALL THEY WOULD HAVE HAD TO SHOW ME WAS HER HAND OR HER FINGER. JUST A SMALL PART TO TOUCH AS I'D PRAY. I KNEW WHEN I MADE THE ARRANGEMENTS THAT I WOULD NEED THIS FINAL VISITATION TO GAIN MORE PEACE + UNDERSTANDING. I THINK THEY MADE A MISTAKE + OVERLOOKED MY VISITATION REQUEST WHICH I PAID FOR. I DON'T WANT ANOTHER FAMILY TO BE DENIED THAT LAST VISIT — *[Signature]* 6/26/2023

Please list any other organization you have contacted relative to this complaint:

Company/Agency/Contact Name:

Contact Address/Phone Number:

Informal Complaint Form

Have you discussed this issue/problem with the funeral establishment or funeral director?

Yes Date: 6/16/2023

No for the Owner

If yes, please detail the response: I CALLED & got a text they were with another family. I received a text without apology that she had been cremated without my final visitation

If no, please explain why: was told he is out of the country in Europe for his daughters college graduation

Testimony

Are you willing to testify at a public administrative hearing? Yes No
(Please note that even if you are unwilling to testify, this form may still be used as evidence).

Declaration

I, JAMES BERRYHILL, being duly sworn, hereby declare under penalty of perjury, that I have written the foregoing complaint and that the information furnished on this document is true and accurate to the best of my knowledge.

Signature of Complainant

Date

7/10/2023 JAB

~~6/20/2023~~

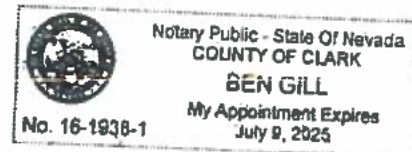
Print Name

State of NEVADA)
County of CLARK) ss.

Signed and sworn to (or affirmed) before me by James Allen Berryhill
on this 10 day of July, 2023.

Ben Gill
Notary Public

Seal



Commission Expires 07/09/25

For Board Use Only:

<input type="checkbox"/> Date Received:	<u>7/10/23</u>	<input type="checkbox"/> Case Number:	<u>FB23-10</u>
<input type="checkbox"/> Entered into Database:	<u>7/11/23</u>	<input type="checkbox"/> Assigned to Investigator:	<u>7/11/23</u>
<input type="checkbox"/>		<input type="checkbox"/> Disposition:	

Marie Paakkari

From: Stephanie McGee
Sent: Monday, July 10, 2023 12:30 PM
To: Marie Paakkari
Subject: FW: Informal Complaint Form for James Berryhill in regards to McDermotts Funeral and Cremation Services for the Cremation of Karen Berryhill my spouse
Attachments: 2023-07-10_Funeral Complaint Form.pdf

Here you go.

Kind regards,

Stephanie

Stephanie Bryant McGee
Executive Director
Nevada Funeral & Cemetery Services Board
3740 Lakeside Drive, Suite 201
Reno, NV 89509
(775)825-5535
<http://funeral.nv.gov>

From: James Berryhill <berryhill714@att.net>
Sent: Monday, July 10, 2023 11:34 AM
To: Stephanie McGee <director@fb.nv.gov>
Subject: Informal Complaint Form for James Berryhill in regards to McDermotts Funeral and Cremation Services for the Cremation of Karen Berryhill my spouse

I've completed the form and had it notarized. I had contracted with McDermott for the Concierge Cremation package which included a 15 minute private visitation. After not hearing from McDermott's I called and had to leave a message asking about the status of my wife's cremation and when could I have the visitation.

The last I'd seen my wife alive was 5/23/2023. The coroner called me the next day after discovering her body; and that she died by suicide of an intraoral gunshot.

I knew I'd need some private time with her body to pray over her; touch her one last time and say goodbye. I knew I'd need those moments for peace and closure during my recovery/mourning process.

But the day after I called I received a text message that said she was being cremated while I had called the night before. I didn't get that final visitation that I so desperately needed. When I asked them about it, they texted me again and said due to the length of time since my wife had passed, and the damage done during the suicide that they would've strongly recommended against any private visitation.

But that wasn't their decision to make...and although it was only an extra couple of hundred dollars to include the visitation,, which I paid....that final visitation for me would have been priceless. They wouldn't have had to show me the wound in her head....they could've just had one of her hands showing that I could touch for the last time..

But they can't give that back to me..they can't un-cremate her after the fact.

* They offered zero apologies or empathy..no nothing. I was told they service at least a hundred bodies a month...and I think the package description with the private visitation may have been overlooked. I don't want another family to be denied their final visit if that is their wish.

I hope that something can be done about their negligence.

Sincerely

James Berryhill

[REDACTED]
Henderson, NV 89044

(615) [REDACTED]

[REDACTED]@att.net

EXHIBIT B

Arranger:

Signature of Arranger:

Jorge Medrano FA59

Jorge Medrano

McDermott's
Funeral & Cremation Service

Contract #:

0

FUNERAL ARRANGEMENT AGREEMENT AND STATEMENT OF FUNERAL GOODS AND SERVICES SELECTED

Decedent: Berryhill, Maren

Relationship: Husband

Date of Death: 5/24/23

Contact Info: H ()

Purchaser: Berryhill, James

C (615) [REDACTED]

For Valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned funeral home (hereinafter referred to as "Seller") hereby agree(s) to sell and provide, and the undersigned person or persons (hereinafter, whether one or more, referred to as "Purchaser") hereby agree(s) to purchase, in accordance with the terms and conditions set forth in this agreement, the services and merchandise specifically enumerated in the Statement of Funeral Goods and Services Selected to be used for the funeral of the decedent named above. CHARGES ARE ONLY FOR THOSE ITEMS THAT YOU SELECTED OR THAT ARE REQUIRED. IF WE ARE REQUIRED BY LAW OR BY A CEMETERY OR CREMATORY TO USE ANY ITEMS, WE WILL EXPLAIN THE REASONS IN WRITING BELOW. IF YOU SELECTED A FUNERAL THAT MAY REQUIRE EMBALMING, SUCH AS A FUNERAL WITH VIEWING, YOU MAY HAVE TO PAY FOR EMBALMING. YOU DO NOT HAVE TO PAY FOR EMBALMING YOU DID NOT APPROVE IF YOU SELECTED ARRANGEMENTS SUCH AS A DIRECT CREMATION OR IMMEDIATE BURIAL. IF WE CHARGED FOR EMBALMING, WE WILL EXPLAIN WHY BELOW.

A. Basic Services of Funeral Director & Staff		
1. (Non-Declinable) (2495)		\$
"A" SUB-TOTAL:		\$
B. Use of Equipment, Facilities, & Staff:		
1. Add'l. Hours at Service Location (3600 per Hour):		\$
2. Weekend Charge (In addition to Selected Package - \$500):		\$
3. For Viewing or Visitation (Per Day): (7750)		\$
4. I.D. Viewing (10 People/15 Min. MAX-\$350):	\$ incl	
5. Translation/Consulate Paperwork (3350):		\$
6. Refrigeration (\$130-\$25 per day AFTER 10 days):	\$ incl	
7. Witness Cremation (10 People/15 Min. MAX-\$350):		\$
8. RUSH CREMATION (1 Bus. Day from Permit-\$350)		\$
9. SNVMC Paperwork/Scheduling (3250):		\$
10. Obtaining Apostille (\$100/Apostille+Apostille Fee):		\$
11. Local Delivery (375-Within 30 miles/Over-Span/24-Hr):	\$ incl	
12. Ground Transport (2650-300 mile MAX)		\$
C. Preparation of the Remains		
1. Embalming (3995):		\$
2. Sanitize/Disinfect Human Remains (3775):		\$
3. Cosmetize, Dress, and/or Hairstyle (3350):		\$
4. Special Care of Autopsied Remains (3350):		\$
D. Insurance (Company:)		
1. Assign Charges to Insurance Yes (3300)	\$ 3300	
Policy Number:		\$
E. Automotive Equipment		
1. Transfer to Funeral Home (3350 within 30 miles):	\$ incl	
2. Transfer To/From Airport/Autopsy (3250):		\$
3. Add. Mileage-\$5/Loaded Mile (After 30 Miles):		\$
SECTION I TOTAL:		\$

II. Merchandise Charges		
A. Merchandise Selected		
1. Casket (Starting at \$1,095):		\$
2. Temp. Plastic Container (330-1 Included in Pkg.):	\$ incl	
3. Combination Shipping Container (3200):		\$
4. Outer Shipping Container (Air Tray) (3200):		\$
5. Alternative Container (330):	\$ incl	
6. Body Pouch (325):	\$ incl	
7. Other:		\$
SECTION II TOTAL:		\$

By signing this contract, Signer agrees that signature of Purchaser/Funeral Director/Other Source Agent GUARANTEES payment. Unless otherwise approved by McDermott's, a \$500 LATE FEE will be added if, after 3 days from contract signing date, payment is not made IN FULL. If not finalized with 7 days, McDermott's will refer case to Clark County Social Services as an "Abandoned Body." Signer accepts responsibility for total charges and acknowledges: (1) failure to pay in full constitutes fraud, (2) Signer is responsible for total charges, Late Fees, and any legal or administrative costs necessary to procure funds, (3) Signer agrees to pay IN FULL if Insurance Assignment is denied (OR paid to Beneficiary directly. Hospice, Veteran, or Previous Family discounts will only be honored if payment is made within 24 hours of contract signing. *NOTHING WILL BE STARTED OR CARRIED OUT UNTIL PAYMENT IS FINALIZED. *

III. Special Charges		
1. Ship-OUT (\$1395-Container/Airfare):		\$
<small>(\$1995- Container/Airfare/Doc Charges for International)</small>		
2. Ship-IN (3995):		\$
3. Death Certificate Processing Fee (330):		\$
4. Cleaning Deposit (NON-DECLINABLE-Added to ALL Services-Refunded AFTER Service IF NO DAMAGES/ISS) (3300)		\$
5. Traditional Burial (Starting at \$2995 (1Hr.<100 People)		\$
6. Traditional Cremation (Starts at \$2995 (1Hr.<100 Ppl)		\$
7. Memorial Cremation (Starting at \$1995 (1Hr.<100 Ppl)		\$
8. Concierge Cremation (3995):		\$ 937.00
9. Direct Cremation (3995):		\$
9. Immediate Burial (3300):		\$
10. USPS Express Mail-Remains (3350-\$200):		\$
11. USPS Priority Mail-Death Certificates (319):		\$
SECTION III TOTAL:		\$ 957.00

IV. Cash Advanced By Seller		
A. We charge you for our services in obtaining any item marked with an asterisk(*)		
1. Death Certificates* (330 First/\$25 Each Additional) 3		\$ 88.00
2. Clergy Honorarium* (1250-3450):		\$
3. Common Carrier* (Estimate):		\$
4. State Funeral Board Fee (310-MANDATORY FEE):		\$ 10.00
5. Apostille Fee (305 per Apostille):		\$
6. Other Cash Advance*:		\$
SECTION IV TOTAL:		\$ 98.00

Contract Summary		
Section I Total Charges:		\$
Section II Total Charges:		\$
Section III Total Charges:		\$ 957.00
Section IV Total Charges:		\$ 98.00
Sales Tax on Section II Charges:		\$
Total of All Charges:		\$ 1,030.00
Discount (Hospice/Veteran/Previous Family)		\$ 100.00
Credit Card Processing Fee-If Applicable (3%)		\$ 27.90
\$ 930.00	SUBTOTAL:	\$ 957.90
PAYMENT (Date of Payment: 5/30/23):		\$ 957.90
PAYMENT TYPE (VISA/MC/AMEX/DC/Check/Cash): VISA		
<small>If paying by check, make payable to: "McDermott's"</small>		
BALANCE DUE:		\$ 0
<i>Jorge Medrano</i>		Date: 5/30/23

EXHIBIT C

VIEWING and/or DRESSING/WASHING/PREPPING FORM

Viewing and/or Dressing/Washing of: Berryhill, Karen

ID Viewings, Witnessed Cremations, and/or Dressings/Washings are designed as an opportunity for the next of kin to positively identify their loved one or to dress/wash/prepare them as they see fit prior to cremation or burial. *It is not a replacement for a formal visitation or viewing period.* For an ID Viewing, the decedent is placed on a viewing table and covered with a blanket up to his/her neck area. The ID viewing is held in our viewing room or, if necessary, our Crematory and, other than minimal washing of the face, if possible, is AS IS. If held in our Crematory, excessive heat, noise, and/or odor may occur as it is a non-air conditioned facility and a working Crematory. Privacy partitions may be used in such cases. Witnessed Cremations are scheduled once we have the Burial Transit Permit and are held in our Crematory and are, again, AS IS. For a private Dressing/Washing of the decedent, it takes place in our Prep Room and is carried out by the family or their selected representatives. With that in mind, please note the following information:

Most states require that the decedent either be embalmed or placed under refrigeration within 24 hours of death.

When embalming has not been elected by the family, there are always limitations to presentation of your loved one in the best possible way. Limitations may include discolorations that cannot be removed, fluid leakage or odors that cannot be managed, controlled, or contained. For that reason, regular dressing, cosmetics, hair styling, and removal of facial hair *will not be completed by staff.* For any Dressings performed by the family or their representatives, personal protective equipment (gloves, gown, mask) must be worn. Decedent may be placed in a one piece body suit called a Unionall to protect participants & clothing from leakage. In this case, *dressing is to be done OVER the Unionall.*

ALL ID VIEWINGS, WITNESSED CREMATIONS, AND/OR DRESSINGS ARE HELD AT A SCHEDULED TIME AND ARE LIMITED TO 10 PEOPLE AND A MAXIMUM TIME OF 15 MINUTES (30 for DRESSING).

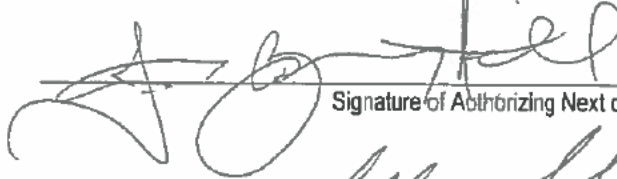
Viewings will only be considered as being part of the finalized cremation arrangements if:

- The viewing is noted on our Cremation Authorization & Order for Disposition Form (see attached) AND
- The viewing is noted on our Control Slip (see attached) AND
- The viewing is listed on our Contract/Statement of Charges (see attached-also applies for burial/shipping arrangements) AND
- The viewing has been acknowledged, approved, and scheduled on our Viewing Form (see attached-also applies for burial/shipping arrangements)

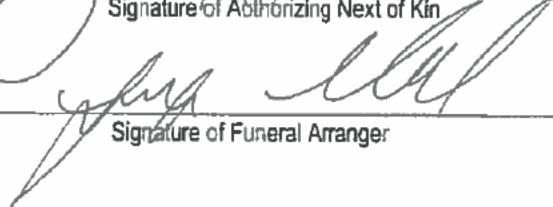
Otherwise, if all or none of the above have been done, or if the family, when filling out the paperwork, should write in their own, unapproved, unacknowledged, unscheduled note about wanting a viewing or who would be attending, it will not be considered as having been offered by McDermott's Staff and, therefore, will not be considered as part of the arranged disposition.

Service Type:	Mark Selected Service(s)	McDermott's Staff Approving (Print Name)	McDermott's Staff Approving (Initial)	Date of Viewing/Service	Time of Viewing/Service
ID Viewing	✓	Joyce M.	JM	TBD	TBD
Witnessed Cremation					
Traditional Viewing					
Dressing					
Washing					

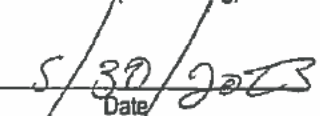
I have read and fully understand this disclosure statement. I assume full responsibility for complying with its limitations. I understand that viewing and/or dressing may be emotionally and physically stressful. I agree to hold the funeral home harmless and indemnify it from all liability, including all reasonable attorneys' fees as a result of any stress or injury, emotional or physical, this viewing and/or dressing may cause me or my representatives. I acknowledge that these arrangements could be canceled AT ANY TIME should a threat, contact, airborne, or otherwise, be discovered or if a pandemic or healthcare emergency should arise, change, or be discovered. If such a cancellation should occur, I understand that I will be refunded for the cancelled service, but NOT the services that have already been carried out (embalming, dressing, etc.).



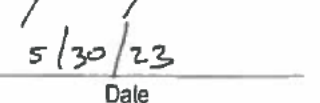
Signature of Authorizing Next of Kin



Signature of Funeral Arranger



Date



Date

EXHIBIT D

STATE OF NEVADA
FUNERAL AND CEMETERY SERVICES BOARD



3740 Lakeside Drive, Suite 201, Reno, Nevada 89509
Phone (775) 825-5535
Email: director@fb.nv.gov
Website: funeral.nv.gov

DR. RANDY SHARP
Board Chair

STEPHANIE BRYANT MCGEE
Executive Director

August 21, 2023

Sent via Certified Mail
7021 1970 0001 7411 4748

Christopher M. Grant, Manager
IHP, LLC
McDermott's Funeral and Crematory Service
2121 Western Avenue, Suite 3A
Las Vegas, NV 89102

Re: Notice of Informal Complaint, Case No. FB23-10
McDermott's Funeral and Crematory Service-EST 110; Case No. FB23-10

Dear Mr. Grant:

Pursuant to Nevada Administrative Code (NAC) 642.180(1), on or about July 10, 2023, the Nevada Funeral and Cemetery Services Board (Board) received an Informal Complaint, alleging circumstances that, if true, may place McDermott's Funeral and Crematory Service, 2121 Western Avenue, Suite 3A, Las Vegas, Nevada 89102 (McDermott's), in violation of certain statutes and regulations under the purview of the Board. An Informal Complaint file has been opened and assigned case number FB23-10. Pursuant to NAC 642.180(3), the licensee must be notified of the Informal Complaint, provided a summary thereof, and given the opportunity to respond.

A summary of the allegations set forth in the Informal Complaint is as follows: Karen Berryhill (Decedent) died on or about May 24, 2023. Decedent's husband purchased the Concierge Cremation package from McDermott's Funeral and Crematory Service that included an "ID Viewing." Decedent's husband wanted to visit, pray over, and say goodbye to Decedent prior to cremation. It is further alleged that on June 16, 2023, prior to the Decedent's cremation Decedent's husband called McDermott's and left a voice message telephone inquiry regarding the ID Viewing which had not yet taken place, but his inquiry went unanswered. The next day, Decedent's husband received a text message from McDermott's informing him that the cremation had taken place. However, prior to the cremation, Decedent's husband was not provided any viewing.

If these allegations are true, they suggest violations of the following:

NFCB0042

If you have any other questions regarding this matter, please contact me.

Sincerely,



Stephanie Bryant McGee
Executive Director

cc: Rosalie Bordelove, Chief Deputy Attorney General

EXHIBIT E

From: [chris orant](#)
To: [Stephanie McGee](#)
Subject: FB23-10 McDermott's Informal Complaint
Date: Thursday, August 24, 2023 12:40:21 PM
Attachments: [Berryhill, Karen DC.pdf](#)
[Untitled attachment 00052.htm](#)
[Berryhill, Karen CCCO REPORT.pdf](#)
[Untitled attachment 00055.htm](#)
[Berryhill, Karen Release Slip.pdf](#)
[Untitled attachment 00058.htm](#)

Hello, all.

This email is in response to the Informal Complaint we just received via mail regarding Karen Berryhill and the issue that arose after her husband, James, made arrangements with us and requested an as-is ID Viewing. She had been a Coroner's case and, as such, was picked up by Davis Funeral Home. When he made arrangements with us, at no time did he mention her cause of death. We did the paperwork, received a release to pick her up from Davis, and picked her up. It was at that time we found out that, as the attached Death Certificate shows, her cause of death was "Intraoral Gunshot Wound of Head." We notify all of our families when we pick up from outside mortuaries (a) that we picked up, (b) what the ID number on the stainless steel tag is for that Decedent, and (c) if a viewing was requested and there are any "circumstances" (Trauma, decomposition, etc.) that would make such a viewing impossible, overly traumatic, or, in the case of an as-is ID viewing which, as the name suggests is meant to ID a Decedent, unnecessary as (a) the aforementioned "circumstances" make the person unrecognizable and (b) as the Coroner has already 100% identified that person or they wouldn't have released them in the first place, that the as-is ID Viewing is not able to take place due to those "circumstances." Even though, yes, we DO include an as-is ID Viewing when someone arranges our Concierge Cremation, we do NOT if the person is deemed to have suffered extreme trauma or if they are badly decomposed. In this case, it was the former. We also, generally, tell families "the sooner, the better" with any type of viewing. Especially, when it's an as-is ID Viewing. In this case, he made arrangements on May 30, 2023. We picked up and notified him on May 31, 2023. Even under "normal" conditions, a family requesting an as-is ID view 12 working days after arrangements (16 TOTAL Days) and 23 total days after the actual date of passing, would, in most cases, be told that too much time had passed. Also, in this case, the cremation took place, as the as-is ID Viewing had been deemed not to be feasible, on June 15th (see attached Control Slip) and he would have been notified the same day of that. In this case, even though he was at the scene, the Coroner's Office had to use the Decedent's Driver photo (as noted on the attached Report of Investigation Form) because she had been deemed unrecognizable at that time. I am sorry that Mr. Berryhill is upset, but while we understand the need for families, especially ones that weren't present at the time of passing, to identify their loved ones and, as such, we even include it in our Concierge package at no additional cost, we do NOT offer it once the aforementioned "circumstances" have been established. All, personally, as owner and Funeral Director here, have received no email, phone call, or even text message from Mr. Berryhill regarding this situation. If you should have any further questions, or need anything further from me, don't hesitate to reach out.

Thank you.

Exhibit 8

Exhibit 8

1:40

85

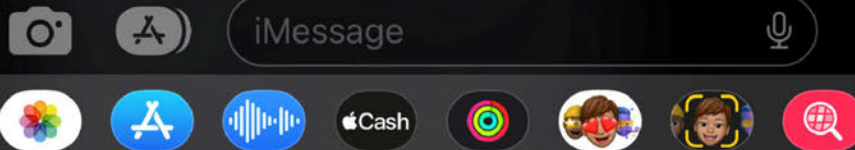
3482 >

Traditional Cremation packages starting at \$3,195 Traditional Cremation is Concierge Cremation PLUS the following: -Embalming (\$350 additional charge if autopsy was done) -Dressing -Cosmetics -Rental Casket for viewing and service -Use of our Chapel for up to 50 people and up to 2 hours OR transport to and from your location of choice (Within 30 miles-your church, home, etc.) (Additional charges listed on our website for additional people, additional hours, or our off-site service location. *For Direct Cremation, we do not order Death Certificates. They can be ordered, directly by the family, at www.snhd.info.) **3% Processing Charge for all payments made by credit or debit cards**

iMessage
Fri, Jun 16 at 9:15 AM

I'm with a family right now. You can text me or, if you called my cell during business hours, call the office at [702-431-6161](tel:702-431-6161). Thank you.

Hello James,
the cremation for miss Karen Berryhill has already been performed. It looks like the Cremation started a few minutes before you and I spoke





[REDACTED] 3482 >



business hours, call the office at [702-431-6161](tel:702-431-6161). Thank you.

Hello James,
the cremation for miss Karen Berryhill has already been performed. It looks like the Cremation started a few minutes before you and I spoke yesterday. Due to the matter of her passing, and the time it's been since her passing away, a viewing would not be possible and strongly, recommended against. Someone from the office will reach out to you to schedule the delivery of the cremated remains to your home.

Tue, Jun 20 at 6:46 PM

Hello Mr. James, I'm looking at our calendar and we have you scheduled for delivery tomorrow between two and six. Wednesday is our usual delivery day.

I was told yesterday the delivery would be today...Tuesday...of course I was told I could have a 10 to 15 minute private visitation with her body before the cremation so that I could touch her one last time...pray with the body and say goodbye...but you denied me that final dignity

Delivered



iMessage





+1 (702) 883-0782 >



iMessage
Tue, Jun 20 at 1:24 PM

Berryhill, Karen

Hello. This is McDermott's Crematory. This text is to inform you that the cremation has been completed and the cremated remains have been delivered to the Main Office. If you are picking up in person, feel free to do so anytime, Monday through Friday (except Holidays) from 9am until 4:30pm. If delivery or mailing was arranged, please call the office at 702-431-6161, Monday through Friday between 9am and 5pm to schedule the delivery or mailing. Please verify the following when you call:

A) If you have urns/jewelry to be filled and, if so, how many items
B) If your urns/jewelry have been delivered or if you're bringing them in
C) If you need anything that wasn't part of the original arrangements (i.e.- Mailing, separating, etc.)
If you have further questions, please call the Main Office at 702-431-6161. Please do not respond to this text as their will be no response. Thank you.

The sender is not in your contact list.

[Report Junk](#)



iMessage

