

# Exhibit D

NYSC SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

RECEIVED NYSC 05/17/2018  
Calendar # 325 (d)

Tony Rami  
McKenzie

Plaintiff(s)

F

PRELIMINARY CONFERENCE ORDER

Pursuant to Part 202 of the Uniform Civil Rules for the Supreme Court

- against -

HON. GEORGE J. SILVER

HON. ~~DAVID A. S.~~

Preliminary Conference Part

Index Number 0026290/2017

Conference Date 4/26/18

Defendant(s)

APPEARANCES:

Plaintiff: Tony Rami  
 Firm: Pepler & Pepler LLP  
 By Attorney: Sam Pepler Phone: 212-662-7409  
 Carrier: \_\_\_\_\_ Phone: \_\_\_\_\_ Coverage Amount: \_\_\_\_\_

Defendant 1: McKenzie  
 Firm: Denair Burtling  
 By Attorney: Brian Franklin Phone: 516-329-4497  
 Carrier: Goico Phone: \_\_\_\_\_ Coverage Amount: \_\_\_\_\_

Defendant 2:  
 Firm: \_\_\_\_\_  
 By Attorney: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Carrier: \_\_\_\_\_ Phone: \_\_\_\_\_ Coverage Amount: \_\_\_\_\_

Defendant 3:  
 Firm: \_\_\_\_\_  
 By Attorney: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Carrier: \_\_\_\_\_ Phone: \_\_\_\_\_ Coverage Amount: \_\_\_\_\_

- I INSURANCE COVERAGE:  To be furnished within 30 days.
- II BILL OF PARTICULARS:
- 1. Not submitted: Bill of Particulars to be served by TT save copy of BP to A in court. TT states it was served last week.
  - 2. Served:  2(a). Satisfactory  2(b). Unsatisfactory
  - 3. Supplemental bill of particulars to be served \_\_\_\_\_
  - 4. Bill of particulars for affirmative defenses to be served \_\_\_\_\_
- III MEDICAL REPORTS AND HOSPITAL AUTHORIZATIONS:
- 1. Furnished (Except: \_\_\_\_\_)
  - 2. Medical reports or authorizations for records to be served
  - 3. Hospital authorizations to be served including NF Files, all medical providers diagnostic testing in tra - op. Photos w/in 45 days.
- IV PHYSICAL EXAMINATION:
- 1(a). Held  1(b). Waived
  - 1(c). Examination of TT  
 To be held w/in 30 days of designation  
 Defendant to designate physician(s) within 21 days of plaintiff's EBT
  - 2(a). Physician's report furnished

As per Court Rule,

PRELIMINARY CONFERENCE ORDER

V EXAMINATION BEFORE TRIAL:  1. Plaintiff  2. Defendants  3. All parties

2. To be held at SP/PR of Armed Location  
 Date: 7/18/18 Time: 10:00 AM

3. Held (Except: \_\_\_\_\_)  Waived

VI OTHER DISCLOSURE:  1. None

2. All parties to exchange names and addresses of all witnesses, opposing parties' statements, and photographs. If none, an affirmation to that effect shall be exchanged.

3. Authorizations for plaintiff's employment records (IRS) including W-2 for period 2014-2018 to present

4. \_\_\_\_\_ if applicable

5. To be completed within \_\_\_\_\_

VII IMPLAIDER ACTIONS:  1(a). None  1(b). To be commenced 30 days after all EBT's.

VIII DESIGNATED FOR TRANSFER:  1(a). CPLR 325 (c)  1(b). CPLR 325 (d)

IX ADDITIONAL DIRECTIVES:  See attached page for additional directives

X ALL PARTIES: ~~Are directed to complete discovery on or before~~  
 and appear for a compliance conference on 07/25/18 at 2:00 PM.

Any statutory stays of disclosure due the pendency of motions pursuant to CPLR 3211, 3212 and 3213 are vacated.  
 Counsel will be required to justify, at the Compliance Conference, failure to adhere to the discovery schedule set forth herein.  
 In the event of non-compliance, costs or other sanctions may be imposed.

This constitutes the decision and order of this court.

Dated: 4/25/18

Enter: George J. Silver  
 J.S.C.  
 HON. GEORGE J. SILVER

Parties must adhere to all dates contained herein relating to the completion of items in this order. Counsel

PC Worksheet

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Date: 4/25/2018

Part: PC

0026290/2017

RAM, TONY

vs.

MCKENZIE, ROBERT L

Assigned Justice: HOWARD H. SHERMAN

Attorney for Plaintiff: POPKIN & POPKIN, LLP

Attorney for Defendant: OFFICE OF DENNIS C. BARTLING

Complexity: Standard

Action Type: E-FILED MOTOR VEHICLE

Identify Following Action Types Product Liability  Labor Law  Lead Paint  Other Malpractice

RJI Filing Date: 2/9/2018

PC to be held by: 3/26/2018

PC Held:

CC to be held by: 12/6/2018

Discovery Due Date: 2/9/2019

NOI Filing Date:

Case Status: Active

Open Motion: CC: 07/25/2018 at 2:00pm

(If open motion indicator, "Y", is displayed, please indicate nature and submission date of motion.)