

***EXHIBIT “C”***

TODAY'S CAL.# 69

RJI DATE 9/14/17

INTAKE PART

PRELIMINARY CONFERENCE ORDER  
PURSUANT TO PART 202 OF THE UNIFORM CIVIL RULES  
FOR THE SUPREME COURT KINGS COUNTY

HON. Schwier

DATE: 10/31/2017

~~FOR JUDGE GRATTAN~~

Index# 500774 / 17

Ablekim Salimov  
Plaintiff(s)

- against -

Brighton SO LLC, et al  
Defendant(s)

Compliance Conference shall be held in  
IAS Part CCP on 5/14, 2018  
at 9:30 a.m.

FAILURE OF COUNSEL TO ATTEND THE  
COMPLIANCE CONFERENCE MAY RESULT  
IN THE IMPOSITION OF SANCTIONS

PRINT ALL INFORMATION CLEARLY

Consent to  
E-FILE?  
 YES  NO

ATTORNEY FIRM Jason Banta by [Signature] FOR PLAINTIFF  
ATTORNEY FIRM Kelley Walsh & Madra by [Signature] FOR DEFENDANT  
ATTORNEY FIRM Cipriani by [Signature] FOR DEFENDANT  
ATTORNEY FIRM \_\_\_\_\_ by \_\_\_\_\_ FOR DEFENDANT Brighton SO LLC  
MVSS Development

DEFAULTS: DEFENDANT Residential Bond of Ocean Gardens  
~~HAS NOT BEEN SERVED~~ HAS BEEN SERVED, NOT ANSWERED, AND TIME TO DO SO HAS EXPIRED.  
DEFAULT JUDGMENT GRANTED / PENDING

THE DISCOVERY END DATE/ NOTE OF ISSUE DUE DATE IS 9/14/2018

IT IS HEREBY ORDERED THAT THIS ACTION IS ASSIGNED TO THE:

\_\_\_\_\_ EXPEDITED  STANDARD \_\_\_\_\_ COMPLEX TRACK  
AND DISCLOSURE SHALL PROCEED AS FOLLOWS:

- I. WRITE PLAINTIFF'S MOST SEVERE INJURY: property damage
- II. TYPE OF CASE:
  - \_\_\_\_\_ MOTOR VEHICLE
  - PREMISES LIABILITY
  - \_\_\_\_\_ PROFESSIONAL MALPRACTICE (MED. MAL. ETC.)
  - \_\_\_\_\_ OTHER. BRIEFLY DESCRIBE: \_\_\_\_\_
  - \_\_\_\_\_ CONTRACT
  - \_\_\_\_\_ LABOR LAW
- III.  CPLR 325 (D) eligible, upon further order.
- IV. INSURANCE COVERAGE (INCLUDING EXCESS AND/ OR UMBRELLA COVERAGE)  
DEFENDANT \_\_\_\_\_ DEFENDANT \_\_\_\_\_  
~~IF NOT FURNISHED~~, PLAINTIFF TO BE ADVISED IN WRITING BY 11/30/2017  
IF NO EXCESS COVERAGE, PROVIDE AFFIDAVIT TO THAT EFFECT BY \_\_\_/\_\_\_/20\_\_\_

PRELIMINARY CONFERENCE ORDER

V. BILL OF PARTICULARS:

- 1A. SUBMITTED.....  1B. NOT SUBMITTED - TO BE SERVED BY \_\_\_\_\_
- 2. SUPPLEMENT/ AMEND BILL OF PARTICULARS TO BE SERVED BY \_\_\_\_\_
- 3. DEFENDANT \_\_\_\_\_ TO PROVIDE A VERIFIED BILL OF PARTICULARS AS TO AFFIRMATIVE DEFENSES WITHIN \_\_\_\_\_ DAYS.

VI. MEDICAL AND HOSPITAL AUTHORIZATIONS TO THE EXTENT NOT PREVIOUSLY PROVIDED:

- 1. FURNISHED
- 2. HIPAA COMPLIANT MEDICAL AUTHORIZATIONS FOR RECORDS AND HOSPITAL AUTHORIZATIONS TO BE SERVED BY \_\_\_\_\_ / \_\_\_\_\_ / 20\_\_\_\_
- 3. PLAINTIFF(S) SHALL PROVIDE AUTHORIZATIONS TO OBTAIN COPIES OF THE ACTUAL RECORDS OF ALL TREATING AND EXAMINING HEALTH CARE PROVIDERS, INCLUDING DIAGNOSTIC TESTS, X-RAYS, MRIs, EMGs, CT SCANS, FOR INJURIES SPECIFIED IN THE BILL OF PARTICULARS WITHIN \_\_\_\_\_ DAYS.
- 4. PLAINTIFF(S), WITHIN 60 DAYS AFTER FILING NOTE OF ISSUE, MUST SERVE DEFENDANT (S) WITH FRESH HIPAA COMPLIANT AUTHORIZATIONS FOR ALL KNOWN HEALTH CARE PROVIDERS.

NA

VII. PHYSICAL EXAMINATION: N/A

- 1A. HELD  1B. WAIVED  1C. EXAM OF THE PLAINTIFF TO BE HELD WITHIN \_\_\_\_\_ DAYS FOLLOWING THE CONCLUSION OF PLAINTIFF'S EBT.
- 2A. PHYSICIANS' REPORTS FURNISHED
- 2B. COPY OF PHYSICIANS' REPORTS TO BE FURNISHED TO PLAINTIFF WITHIN \_\_\_\_\_ DAYS OF EXAMINATION.

VIII. EXAMINATIONS BEFORE TRIAL:  PLAINTIFF(S)  DEFENDANT(S)  INFANT(S)

Debt 005 1/16/18

Debt 006 1/23/18

- INFANT'S DATE OF BIRTH: \_\_\_\_/\_\_\_\_/\_\_\_\_
- TO BE HELD ON \_\_\_\_/\_\_\_\_/20\_\_\_\_,
- AT  COURT REPORTER \_\_\_\_\_
- AT  OFFICE OF \_\_\_\_\_
- AT  A LOCATION TO BE AGREED UPON LATER
- HELD (EXCEPT: \_\_\_\_\_)
- WAIVED
- EXCEPT INFANT AT THIS TIME

DEPOSITIONS TO COMMENCE WITHIN 30 DAYS OF JUDICIAL DETERMINATION OF INFANT PLAINTIFF'S COMPETENCE TO TESTIFY AT A "SWEAR-ABILITY" HEARING.

IX. OTHER DISCLOSURE:

- 1. NONE
- 2. ALL PARTIES TO EXCHANGE NAMES AND ADDRESSES OF ALL WITNESSES, OPPOSING PARTIES' STATEMENTS, PHOTOGRAPHS, SURVEILLANCE TAPES, AND ACCIDENT REPORTS PREPARED IN THE ORDINARY COURSE OF BUSINESS. IF NONE, AN AFFIRMATION TO THAT EFFECT SHALL BE PROVIDED.
- 3. AUTHORIZATION FOR PLAINTIFF(S) FOR YEAR BEFORE, YEAR OF, AND YEAR AFTER:
  - EMPLOYMENT ATTENDANCE RECORDS
  - IRS, IF SELF EMPLOYED OR W-2
- 4. PLAINTIFF TO PROVIDE NO-FAULT/ COLLATERAL SOURCE AUTHORIZATIONS.

ABOVE TO BE COMPLETED WITHIN 30 DAYS.

- 5. ALL PARTIES SHALL SUPPLY EXPERT WITNESS DISCLOSURE PURSUANT TO CPLR.

FILED: KINGS COUNTY CLERK 11/02/2017

PRELIMINARY CONFERENCE ORDER

6. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

X. IMPLEADER ACTIONS:  1. NONE  
 2. ALREADY COMMENCED  
 3. TO BE COMMENCED WITHIN 60 DAYS AFTER COMPLETION OF EBTs.

XI. ADDITIONAL DIRECTIVES: SEE ATTACHED PAGE FOR ADDITIONAL DIRECTIVES.

IN THE EVENT OF UNJUSTIFIED NON-COMPLIANCE WITH THE TERMS OF THIS ORDER, COSTS OR OTHER SANCTIONS MAY BE IMPOSED.

NOTWITHSTANDING ANY DIRECTIVE CONTAINED HEREIN, ALL PARTIES ARE REQUIRED TO ABIDE BY THE JUSTICE'S INDIVIDUAL PART RULES LOCATED AT: [HTTP://WWW.NYCOURTS.GOV/COURTS/2JD/KINGS/CIVIL/JUDGESRULES.SHTML](http://www.nycourts.gov/courts/2jd/kings/civil/judgesrules.shtml)

ALL DATES CONTAINED HEREIN RELATING TO THE COMPLETION OF ITEMS IN THIS PRELIMINARY CONFERENCE ORDER MUST BE ADHERED TO.

THE PARTIES HAVING APPEARED FOR A PRELIMINARY CONFERENCE ON THIS DATE HAVE REVIEWED THE TERMS AND/ OR CONDITIONS OF THIS ORDER AND HEREBY CONSENT TO SAME.

ATTORNEY: [Signature] FOR PLAINTIFF: Salmor  
(Attorney's signature)

ATTORNEY: [Signature] FOR DEFENDANT: SD Brighton + Mueselbachment  
(Attorney's signature)

ATTORNEY: \_\_\_\_\_ FOR DEFENDANT: \_\_\_\_\_  
(Attorney's signature)

ATTORNEY: \_\_\_\_\_ FOR DEFENDANT: \_\_\_\_\_  
(Attorney's signature)

COURT ATTORNEY: [Signature]

THIS CONSTITUTES THE DECISION AND ORDER OF THE COURT.

DATED: 10 31 20 17

ENTER: [Signature]  
J.S.C. / J.H.O.

2017 NOV - 2 AM 9:51  
FILED  
KINGS COUNTY CLERK  
HON. MARTIN SCHMIGER  
JHO/REFEREE