

TODAY'S CAL.# 46

RJI DATE 11/15/18

INTAKE PART

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

HON. R. Velasquez
by Lizette Colon

DATE: 1/9/2019

Turi Keag,

Index# 516205, 18.

Plaintiff(s)

- against -

Jarell Nedd,

Defendant(s)

Compliance Conference shall be held in
IAS Part CCP on 5/15, 2019
at 9:30 a.m.

FAILURE OF COUNSEL TO ATTEND THE
COMPLIANCE CONFERENCE MAY RESULT
IN THE IMPOSITION OF SANCTIONS
Not on consent

PRINT ALL INFORMATION CLEARLY

Consent to
E-FILE?
YES NO

ATTORNEY FIRM <u>J.O. David</u>	by	<u>Lou' Fern</u>	FOR PLAINTIFF	___	___
ATTORNEY FIRM <u>B'ello</u>	by	<u>J. Simon</u>	FOR DEFENDANT	___	___
ATTORNEY FIRM _____	by	_____	FOR DEFENDANT	___	___
ATTORNEY FIRM _____	by	_____	FOR DEFENDANT	___	___

DEFAULTS: DEFENDANT

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 10/15/2019

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: (P) Shoulder tear

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 2/11/2019
IF NO EXCESS COVERAGE, PROVIDE AFFIDAVIT TO THAT EFFECT BY 2/11/2019

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V. BILL OF PARTICULARS:

- 1A. SUBMITTED..... 1B. NOT SUBMITTED - TO BE SERVED BY _____
- 2. SUPPLEMENT/ AMEND BILL OF PARTICULARS TO BE SERVED BY H. W. Lin 30 days
over IT's objection and after oral argument it shall remain since
"and in being in all ways generally complies..." from 1/7
- 3. DEFENDANT _____ TO PROVIDE A VERIFIED BILL OF PARTICULARS AS TO AFFIRMATIVE DEFENSES WITHIN 30 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 2/11/2019
- 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 30 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.

VII. PHYSICAL EXAMINATION:

- 1A. HELD 1B. WAIVED 1C. EXAM OF THE PLAINTIFF TO BE HELD WITHIN 45 DAYS FOLLOWING THE CONCLUSION OF PLAINTIFF'S EBT.
- 2A. PHYSICIANS' REPORTS FURNISHED
- 2B. COPY OF PHYSICIANS' REPORTS TO BE FURNISHED TO PLAINTIFF WITHIN 45 DAYS OF EXAMINATION.

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

INFANT'S DATE OF BIRTH:
 TO BE HELD ON 4/3/2019
 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.

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6. Parties shall respond to outstanding discovery demands within 30 days to extent not provided

X. IMPLER 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.

Not on consent

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

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: [Signature]

ATTORNEY: [Signature] FOR DEFENDANT: [Signature]

ATTORNEY: [Signature] FOR DEFENDANT: [Signature]

ATTORNEY: [Signature] FOR DEFENDANT: [Signature]

COURT ATTORNEY: [Signature]

THIS CONSTITUTES THE DECISION AND ORDER OF THE COURT.

DATED: 1/9/2019

ENTER: [Signature]

J.S.C. / J.H.O. Hon. Lizette Colon

2019 JAN 11 AM 9:15 KINGS COUNTY CLERK FILED