

TODAY'S CAL.# 55

RJI DATE 3/30/2018

INTAKE PART

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

HON. JHO MARTIN SCHNEIER  
for Walker  
ADRIANA MONCAYO

DATE: 5/3/2018

Index# 525046/2017

Plaintiff(s)

- against -

MARCUS WILLIAMS

Defendant(s)

Compliance Conference shall be held in  
IAS Part CCP on 10/11/2018  
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 <u>HARLOCK</u>	by <u>M. SEPT</u>	FOR PLAINTIFF	___	___
ATTORNEY FIRM <u>TOOMAY</u>	by	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 3/30/2019

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: MEIVISCAE TRAUM SURGERY

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 S DEFENDANT

IF NOT FURNISHED, PLAINTIFF TO BE ADVISED IN WRITING BY 6/15/2018  
IF NO EXCESS COVERAGE, PROVIDE AFFIDAVIT TO THAT EFFECT BY 6/15/2018

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 6/15/2018  
Special damages, lost earnings (if applicable)
- 3. DEFENDANT S TO PROVIDE A VERIFIED BILL OF PARTICULARS AS TO AFFIRMATIVE DEFENSES WITHIN 45 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 6/15/2018
- 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 45 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: 7/11/2018  
 TO BE HELD ON 7/11/2018, 10AM  
 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~~ To the extent not previously provided
- 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.  
by 6/15/18  
ABOVE TO BE COMPLETED WITHIN 45 DAYS.
- 5. ALL PARTIES SHALL SUPPLY EXPERT WITNESS DISCLOSURE PURSUANT TO CPLR.

*To the extent applicable + court*

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6. PARTIES TO RESPOND TO OUTSTANDING DEMANDS INCLUDING TO PUTS 4/4/18 DEMANDS + NOTICE FOR P+1 BY 6/15/18

X. IMPLAIDER 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

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: \_\_\_\_\_

ATTORNEY: [Signature] FOR DEFENDANT: WILLIAMS

ATTORNEY: \_\_\_\_\_ FOR DEFENDANT: \_\_\_\_\_

ATTORNEY: \_\_\_\_\_ FOR DEFENDANT: \_\_\_\_\_

COURT ATTORNEY: [Signature]

THIS CONSTITUTES THE DECISION AND ORDER OF THE COURT.

DATED: 5/3/2018

ENTER: \_\_\_\_\_

J.S.C. H.O. HON. MARTIN SCHNEIER JHO/REFEREE

KINGS COUNTY CLERK FILED 20 8 MAY 17 AM 9:18