

SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF NEW YORK

INDIVIDUAL ASSIGNMENT PART [OR JUSTICE] FRED PART 2

PARKER

Index No. 152711/2017

DCM Track _____

- against -

Plaintiff(s),

MATSEL BROS. ET AL

Defendant(s).

PRELIMINARY CONFERENCE ORDER

(202.8, 202.12 and 202.19 of the Uniform Rules)

APPEARANCES

Plaintiff(s): SACKS + STRICK

Defendant(s): MATSEL BROS BY LAW OFFICE of CHARLES SIEGEL
KENNETH DOLAN and JAMES J. TOOMEY BY MARSHALL CONWAY & BRADY LLP FOR AMERICAN
LAW OFFICES of JAMES J. TOOMEY

It is hereby ORDERED that disclosure shall proceed as follows:

(1) Insurance Coverage: If not already provided, shall be furnished by ALL PARTIES on or before 6/8/18.

(2) Bill of Particulars:

- (a) Demand for a bill of particulars shall be served by _____ on or before _____.
- (b) Bill of particulars shall be served by IT on or before 6/8/18.
- (c) A supplemental bill of particulars shall be served by _____ as to Items _____ on or before _____.

(3) Medical Reports and Authorizations:

Shall be served as follows: AZ FOR ALL MED PROVIDERS RE: TREATMENT FOR SUBJECT ACCIDENT TO ALL AS BY 6/8/18

(4) Physical Examination:

- (a) Examination of IT shall be held WITHIN 45 DAYS OF IT EBT.
- (b) A copy of the physician's report shall be furnished to plaintiff within 45 days of the examination.

(5) Depositions: Depositions of Plaintiff(s) Defendant(s) All Parties shall be held AS follows:

IT REPORT SEPT. 9/24/18 HOUSING WORKS 10/10/18
MATSEL SEPT 10/3/18 AMERICAN CONSR 10/17/18

(6) Other Disclosure:

- (a) All parties, on or before 6/8/18, shall exchange names and addresses of all eye witnesses and notice witnesses, statements of opposing parties, and photographs, or, if none, provide an affirmation to that effect.
- (b) Authorization for plaintiff(s)' employment records for the period 2 YEARS PRIOR, IF APPLICABLE shall be furnished on or before 6/8/18 + LOT more claimed.
- (c) Demand for discovery and inspection shall be served by ALL PARTIES on or before 6/30/18. The items sought shall be produced to the extent not objected to, and objections, if any, shall be stated on or before 7/31/18.
- (d) Other [interrogatories, etc.] _____

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(7) End Date for All Disclosure:

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(8) Impleader: Shall be completed on or before within 60 days after completion of party EBT's.

(9) Compliance Conference: Shall be held on 12/4/18 @ 2:15

(10) Motions: Any dispositive motion(s) shall be made on or before within 60 days after filing of absent showing of good cause upon motion.

(11) Note of Issue: 12/18/18 shall file a note of issue/certificate of readiness on or before 12/18/18. A copy of this order, an affirmation stating that the terms of the order have been complied with, and an affidavit of service of the affirmation and note of issue shall be served and filed with the note of issue on or before said date.

FAILURE TO COMPLY WITH ANY OF THESE DIRECTIVES MAY RESULT IN THE IMPOSITION OF COSTS OR SANCTIONS OR OTHER ACTION AUTHORIZED BY LAW.

SO ORDERED:

Dated: 5/8/18

See Below
J.S.C.

ADDITIONAL DIRECTIVES

In addition to the directives set forth above, it is further ORDERED as follows:

- ① parties to respond to any outstanding demands w/in 30 days including HOUSING WORKS COMBINED DEMANDS DATED 4/24/18
- ② IT TO RESPOND TO American Demands w/in 30 days
- ③ Co-De TO RESPOND TO American Demands w/in 30 days
- ④ 3rd Party A TO RESPOND TO American Demands w/in 30 days
- ⑤ 3rd Party B, American to provide copies of all prior pleadings & respond to 3rd Party A's demand for a Third Party Bill of Materials TO EXIST NOT PROVIDED
- ⑥ All parties to respond to 3rd Party's combined demands dated 4/20/18 w/in 30 days

Dated: MAY 8, 2018

SO ORDERED:

[Handwritten signature]

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HON. KATHRYN E. FREED

SUPREME COURT, NEW YORK COUNTY, IAS PART 2

PRELIMINARY CONFERENCE ADDITIONAL DIRECTIVES

Date MAY 8, 2018

Plaintiff AARON PARKER

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BY ORDER OF JUSTICE KATHRYN E. FREED, in addition to the directives set forth on the annexed pages, it is further ORDERED that:

1. Parties must bring this and all discovery orders to all court conferences.
2. Parties must, unless otherwise directed, put end dates on all discovery to be produced.
3. There are to be no adjournments of any depositions without prior approval by the court. If court approval cannot reasonably be obtained before the adjournment, then the court shall be contacted as soon as reasonably possible. Any violation of this requirement will result in sanctions or deeming any further depositions waived or both. Depositions shall be scheduled for a specific date rather than "on or before" or "by" a certain date.
4. Before making any motions, as soon as a disclosure problem arises and before the end date for discovery, the affected party must call the Clerk of Part 2 at (646) 386-3852 to arrange for a telephone conference. Failure to comply by the discovery deadlines set by the court waives all pending and future discovery absent good cause.

SO ORDERED:



KATHRYN E. FREED, J.S.C.