

STATE OF NEW YORK
SUPREME COURT COUNTY OF GREENE

Kelly Myers,

Plaintiff,

-against-

Conference Order

Index No.: EF2020-0007

Cumberland Farms, Inc. and EMCO Distributors, Inc.
d/b/a EMCO Corporation,Defendants.

This matter having come before this Court on June 9, 2021, via Microsoft Teams, with Plaintiff having appeared through her attorney, Eli B. Basch, Esq., of the law offices of Basch & Keegan, LLP and Defendant, Cumberland Farms, Inc. having appeared through their attorney, Daniel Borbet, Esq. of the law offices of Simmons Jannace, DeLuca, LLP, and Defendant, EMCO Distributors, Inc. d/b/a EMCO Construction through their attorney James Romer, Esq. of the law offices of Pillinger Miller Tarallo, LLP; and Defendant Commercial Paving having appeared through their attorney, Elizabeth Grogan, Esq., of O'Connor, O'Connor, First and Breese, and

Due deliberation being had thereon,

NOW, therefore it is

ORDERED, that the parties shall complete the non-party depositions of Charles Smushna and Mary Decker by July 31, 2021; and it is further

ORDERED, that the Defendant's medical examination of the Plaintiff shall occur on or before July 21, 2021 and the Defendant shall provide the Plaintiff with the report from same within 45 days of the exam; and it is further

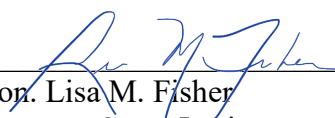
ORDERED, that the Court will conduct a compliance conference on September 13, 2021 at 10:00 a.m. via Microsoft Teams, to ensure compliance with this order and schedule the matter for a trial date certain provided the Note of Issue has been filed prior to the conference; and it is further

ORDERED, that if any deadline in this Order needs to be extended, the party requesting the extension must request the extension from the Court *before* the deadline expires; and it is further

ORDERED, that failure to comply with this Order may result in the Court taking the appropriate actions under CPLR §3126 and 22 NYCRR 202.27, including striking the offending parties' pleading.

Dated: June 9, 2021
Kingston, NY

ENTER



Hon. Lisa M. Fisher
Supreme Court Justice**Served Check Applicable Box(es):** Order served via e-mail upon counsel via NYSCEF