

At a Centralized Compliance Part of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, located at Civic Center, Borough of Brooklyn, City and State of New York, on the day of 3 April, 2019

PRESENT:

HON. Lizette Colon  
Justice/JHO

CAL. NO. 37

INDEX NO. 503835/18

- ON CONSENT
- ON DEFAULT ORDER
- AFTER ORAL ARGUMENT

ORDER

-----X  
LANDVIGER Plaintiff(s),

-against-

ISAAC APPLE FARM et al.  
Defendant(s)

-----X  
The following papers number 1 to read on this motion

Notice of Motion-Order to Show Cause and Affidavits (Affirmations) Annexed	_____
Answering Affidavit (Affirmation)	_____
Reply Affidavit (Affirmation)	_____
Affidavit (Affirmation)	_____
Pleadings-Exhibits	_____
Stipulations-Minutes	_____
Filed Papers	_____

Papers Numbered

2019 APR 11 AM 8:46  
KINGS COUNTY CLERK  
FILED

A's motions to strike Δ "Isaac" + "Ch's" answers is decided as follows:

① See discovery schedule on page 2.

It is noted Hannum Ferretic Esqs were substituted as Δ's counsel on or above 1/14/19.

Prior Order dated 11/21/18 directed Δ to provide discovery. Δ failed

For Clerk's Use Only	
MG Ext	Retracked:
MD <u>002</u>	<input type="checkbox"/> Standard
Motion Seq. # <u>002</u>	<input type="checkbox"/> Complex

ENTER:

disc schedule on page 2

J.S.C./J.H.O.

2019 APR 11 AM 8:16  
KINGS COUNTY CLERK  
FILED

For Appearance only

ATTORNEY FIRM <u>BAMUNDO</u>	by <u>[Signature]</u>	FOR PLAINTIFF(S)
ATTORNEY FIRM <u>KFCM</u>	by <u>[Signature]</u>	FOR DEFENDANT(S) <u>all</u>
ATTORNEY FIRM _____	by _____	FOR DEFENDANT(S)
ATTORNEY FIRM _____	by _____	FOR DEFENDANT(S)
ATTORNEY FIRM _____	by _____	FOR DEFENDANT(S)

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DATE 4/3/19.

PLAINTIFF LAWDUIGER vs DEFENDANT ISAAC APPLE

By 6/7/19:

- Δ to provide identity of any individuals or entities responsible for snow ice removal at the subject premises on 1/6/18.
- Δ to provide identities of any employees/agents who were notified of snow ice condition at the premises on 1/6/18.
- Δ to provide any additional video footage of the subject premises (inside & outside) from 1/6/18, or an affidavit explaining why no such footage exists.
- Δ to provide any records of any other falls on sidewalk or outdoor produce area from 1/6/18, to extent in existence.
- Δ to provide identities of individuals whose photos were provided in TT's 12/4/18 notice of D&I <sup>it's</sup> upon Δ to provide LKA's to extent no longer employed by Δ.
- Δ reserves right to designate JME(s) of TT by 6/7/19.
- Δ to appear for EBT's by 6/21/19.

In the event Δ fails to comply with this Order, Δs will be precluded from testifying or offering an affidavit in support or opposition to a motion. It is noted that Δ failed to comply with the 10-

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ENTERED/SO ORDERED  
 20 APR 11 AM 8:16  
 JSC  
 Hon. Lizette Colon  
 J.S.C.

KINGS COUNTY CLERK