

APPENDIX (1)

SUPREME COURT COUNTY OF NASSAU
IAS JUSTICE HON. DIAMOND

PRESENT:

INDEX NO. 610287/16

HYUNG JOO KONG

Plaintiff(s),

against

LUIGI GIOVANNI IANNUCCI &
SHEMUE IANNUCCI
Defendant(s).

**Preliminary Conference
Stipulation and Order**

(sections 202.8 and 202.12 & 202.19
of the Uniform Rules)

STP

(All items on the form must be completed unless inapplicable.)

It is hereby STIPULATED and ORDERED that disclosure shall proceed as follows:

(1) **Insurance Coverage (CPLR 3101 (f))** If not already provided, shall be furnished by DS,
on or before 12-22-17.

(2) **Bill of Particulars:** # Shall respond to each & every item of DS' Demand for BI + Civil bind demands dated 5-23-17 w/in 30 days
(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 30 days.

(3) **Medical Report and Authorizations:**
Shall be served as follows: # Shall provide for all medical providers, including primary care physician (incl all diag tests & files) for MIN MVA + All prior & subsequent injuries/trauma to same body parts alleged herein + All AB for Any Non-privileged (eg, 21 file for any claim or suit involving prior or subsequent injuries/trauma).

(4) **Physical Examination:**
(a) Examination of IT shall be held w/in 60 day of ITS BBT

(b) A copy of the physician's report shall be furnished to plaintiff(s) within 60 days of the examination.

(5) **Depositions: Choose (a) or (b) - Do not use both**

(a) Deponent	Plaintiff	Date and Time	Place
3-15-18	2/21/18	10:00 TBD NASSAU	TBD
3-22-18	2/28/18	10:00 " " "	TBD

(b) The parties shall set forth a schedule for depositions to be held no later than _____ and shall provide the court with the schedule.

(Attach additional sheet if necessary)

Optional:

If one deposition fails to take place as scheduled, the remaining parties' depositions shall nonetheless proceed as

(6) Other Disclosure:

(a) All parties, on or before 12/22/17 or per CPLR, shall exchange names and addresses of all eyewitnesses and notice witnesses, statements of opposing parties and photographs, or, if none, provide an affirmation to that effect.

(b) Authorizations for plaintiff(s) employment records for the period 2 yrs pre-d/a to present shall be furnished on or before 12-22-17 (IF NO LIST EMPLOY, then just for Attendance + medical file)

(c) Demand for discovery and inspection shall be served by per CPLR on or before _____ . The items sought shall be produced to the extent not objected to, and objections, if any, shall be stated on or before per CPLR.

(d) Accident reports prepared in the regular course of business shall be exchanged pursuant to CPLR 3101(g) by 12/22/17 or per CPLR.

(e) Other (interrogatories (CPLR 3130, 3101 (d) Etc.):

All such disclosure, unless otherwise noted herein, shall be completed by per CPLR

(f) Plaintiff shall provide authorizations for the following collateral source providers (CPLR 4545) within 30 days No - FRUIT + MI applicable
Medicaid/Medicare if applicable

(7) The parties shall ensure that a stipulation of discontinuance shall be promptly filed if the case settles before the next meeting with the Court. Failure to comply with any of these directions may result in the imposition of costs or sanctions or other action authorized by law.

(8) **Motion:** any dispositive motions(s) (CPLR 3211 and 3212) shall be made on or before 60 days from filing date

(9) **Impleader Motion(s)** to amend the pleadings or to add parties: Shall be completed on or before 30 days from filing date

(10) **End Date for all Disclosure** 7-9-18

(11) **Compliance/Certification Conference** shall be held on 3-22-18 9:30 A.M. (To be set by clerk)

I. Affirmation of Injuries: (if applicable)

The most serious injury alleged in this action is :

① Shoulder Labrum Tear

(12) **Summary Judgment Motions:** Pursuant to CPLR 3214(b), service of a notice of motion under rule 3211, 3212 or 3213 shall **NOT** stay disclosure

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(13) ORDERED, that all parties shall provide upon request of another party additional authorizations for production of records maintained by health care providers and/or facilities.

Attorney for Plaintiff(s) *[Signature]*
Andrew Park, P.C.
by Steve Park

Attorney for Plaintiff(s) *[Signature]*
by *[Signature]*

Attorney for Defendant(s) _____

Attorney for Defendant(s) _____

Attorney for Defendant(s) _____

Attorney for Defendant(s) _____

SO ORDERED
[Signature]
J.S.C.
HON. ARTHUR M. DIAMOND

Dated: 11-15-17

ENTERED

NOV 21 2017