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September 21, 2020

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Andrew Park, P.C.
 450 Seventh Avenue, Suite 1805
 New York, New York 10123

Re: **Kim v. Bouret et ano.**
 Index No.: 702414/2019
 Date of Loss: January 3, 2019
 Our File No.: (PRG) 69480

Dear Counsel:

As a point of re-introduction, this office represents the defendants, Giovanni Bouret and Caulktite Corp. in the above-referenced matter.

Your undersigned was recently notified by ExamWorks that the plaintiff was unable to attend the orthopedic surgery independent medical examination with Dr. Jeffrey Passick on September 21, 2020. The reason for the adjournment was that the plaintiff had surgery on August 31, 2020.

Based on the above, demand is hereby made upon you for the following:

1. Authorizations for any and all medical providers that treated the plaintiff since the plaintiff's deposition was conducted, including authorizations for the surgeon, the surgical facility and any diagnostic that were taken since the plaintiff's

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- deposition; and
2. A Supplemental Bill of Particulars delineating what the surgery entailed on August 31, 2000, assuming you are alleging the surgery was causally related to the subject accident.

Upon receipt of this correspondence, please contact your undersigned immediately to schedule a supplemental deposition of the plaintiff herein. This office has not waived independent medical examinations and we are in the process of rescheduling the independent orthopedic surgery examination.

Please allow this letter to serve as a good faith attempt to resolve the aforementioned discovery issues absent the use of judicial intervention. Please be advised that should you attempt to file the Note of Issue while the aforementioned discovery remains outstanding, we will seek costs and sanctions, and prepare a motion to vacate the Note of Issue. Please be guided accordingly.

Thank you very much for your anticipated cooperation. Should you have any questions or wish to discuss this matter, please do not hesitate to contact your undersigned at any time.

Very truly yours,
Michael V. Campanile
MICHAEL V. CAMPANILE

MVC/jcs