



Exhibit "E"

CC Calendar# 8/1/16Review By JKPC 8/1/16
CC 2/1/17
NI 10/13/17

This box for Court use only

Supreme Court of the State of New York
 Queens County: Compliance Settlement and Conference Part
 Present: Hon. ~~Martin E. Espolito~~, Justice

EspositoCabreraIndex Number: 703782/16

Plaintiff(s)

-against-

Date RJI filed: 7/18/16Chrysler Building LLC et Al

Defendant(s)

Compliance Conference Order

Appearances:

Plaintiff(s)

F. Kassaris Esq. For : Silberstein Awad + Miklos P.C.

Defendant(s)

Structure Tone, Inc. : Barry, McTiernan + Moore LLC
Chrysler : Brett Lew, Murphy + Shapiro
CVNC Constr. Co. : Abnathy Demers + Hellman Esq.
 : Mark D. Wellman Esq.

Upon the Preliminary Conference Order dated 8/1/16, and following a Compliance Conference held on 2/1/17, and it appearing that disclosure previously ordered herein has not been completed, or that additional disclosure is warranted, it is hereby ORDERED, that disclosure shall proceed and be completed in accordance herewith, and it is further

ORDERED that all proceedings directed herein shall be completed on or before the dates set forth. No adjournments are to be had without the Court's written approval, and adjournments MAY NOT be had upon the stipulation of the of the parties alone, and it is further

ORDERED that any failure to comply strictly with the terms of this order shall be grounds for the striking of pleadings or other relief pursuant to CPLR 3126, and it is further

ORDERED that disclosure demands now known to be necessary which are not raised at this conference are deemed to be waived, and it is further

FILED

MAR - 8 2017

COUNTY CLERK
QUEENS COUNTY

DOCUMENTS, AUTHORIZATIONS and OTHER DISCOVERY AND INSPECTION:

ORDERED that, on or before 30 days from the date hereof, the following documents, authorizations and other items for discovery and inspection shall be produced:

(Any items left outstanding from those directed by prior orders must be specifically identified or are deemed waived) by the Plaintiff(s): All medical reports and authorizations, as directed by 22 NYCRR § 202.17(b) and where the cause of death is in issue as directed by 22 NYCRR § 202.17(d). To extraneous

IT to produce EMS & AEs for treatment of prior injuries to the same parts of the body claimed in this matter, if applicable.

by the Defendants and Third-Party Defendants:

DEPOSITIONS:

it is further ORDERED that all parties not yet deposed shall appear for deposition on: date 4/18/17 at time 10 o'clock at: place QUEENS REPORTER
(The date set for depositions must be no more than 30 days from the date hereof. Insert any further provisions regarding depositions) IT to appear on 3/29/17, Chrysler to appear on 4/7/17

As Structure and Clune to appear on 4/18/17

PARTIES RESERVE RIGHT TO POST EBT DEMANDS

and it is further ORDERED that depositions shall continue from day to day until completed, and it is further

PHYSICAL EXAMINATIONS:

ORDERED that all defendants and other parties desiring to take the physical examination of any plaintiff shall designate, in writing, the physician(s) to make the examination within five days of the completion of the plaintiff's deposition, or within ten days of the date hereof, whichever is later. Failure to make such a designation shall be deemed a waiver of the right to take the examination. All physical examinations must be completed within thirty days of the completion of the plaintiff's deposition, or of the date hereof, whichever is later. Pursuant to 22 NYCRR § 202.17 (c), copies of the reports of the physicians making examinations pursuant to this order shall be served on all other parties within 45 days after completion of the examination, and it is further

ORDERED: (Insert any further provisions regarding physical examinations)

MISCELLANEOUS:

It is further ORDERED that any further third-party actions shall be commenced promptly upon discovery of the identity of the third-party defendants, but not more than thirty days after the completion of depositions, unless for good cause shown, and it is further

ORDERED that parties aggrieved by failures to disclose must move promptly for relief or be deemed to have waived the outstanding items, and it is further

ORDERED that any statutory stays of disclosure due to the pendency of motions pursuant to CPLR 3211, 3212 and 3213 are vacated, and all parties are stayed from moving for summary judgment pending the filing of a note of issue as directed herein, and it is further

