

**Bronx County Supreme Court  
COMPLIANCE CONFERENCE ORDER**

**Present: Hon. Mary Ann Brigantti, J.S.C.**

\_\_\_\_\_ X

**Index No.** \_\_\_\_\_

**Plaintiff(s),**

~against~

**Date RJI filed:** \_\_\_\_\_

**Defendant(s),**  
\_\_\_\_\_ X

*UPON* the Preliminary Conference Order dated \_\_\_\_\_, and following a Compliance Conference held on \_\_\_\_\_, and it appearing that disclosure was previously ordered herein and 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 proceedings directed herein shall be completed on or before the dates set forth. No adjournments, postponements or alterations of this order are permitted without the Court's written approval, and none may be had upon the stipulation of the parties alone; 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, unless otherwise ordered by the Court; 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 it is further

*ORDERED* that any parties failing to appear at this conference shall be bound by the terms of this order; and it is further

**ORDERED** that the outstanding discovery shall be provided as follows:

1. INSURANCE COVERAGE: To be provided by \_\_\_\_\_.

2. BILL OF PARTICULARS:  A. Response to be provided by \_\_\_\_\_.

Dated: \_\_\_\_\_

B. Supplemental Bill of Particulars as to items:

\_\_\_\_\_  
\_\_\_\_\_

to be served by \_\_\_\_\_.

C. D & I by \_\_\_\_\_ to be served by \_\_\_\_\_.

D. Responses to \_\_\_\_\_'s D & I dated \_\_\_\_\_  
to be served by \_\_\_\_\_.

3. AUTHORIZATIONS:  A. For Medical Records (specifically for \_\_\_\_\_  
\_\_\_\_\_)

to be served by \_\_\_\_\_.

B. Authorizations for Plaintiffs:

Employment Records.

W-2 Records for Period \_\_\_\_\_.

Other (specify) \_\_\_\_\_.

to be served by \_\_\_\_\_.

C. For \_\_\_\_\_

to be served by \_\_\_\_\_.

4. EXAMINATION BEFORE TRIAL:  Plaintiff  Defendant  All Parties

A. To be held on \_\_\_\_\_ at \_\_\_\_\_ am / pm

at \_\_\_\_\_ or unless otherwise

agreed, the Bronx Supreme Court Building, room 118.

Any EBT's not completed on said date will be continued

on \_\_\_\_\_.

B. Limitations: \_\_\_\_\_

\_\_\_\_\_.

C. Post EBT demands to be served by \_\_\_\_\_

and must be responded to by \_\_\_\_\_.

**NOTE:**  
NO POSTPONEMENTS  
ARE PERMITTED  
WITHOUT COURT  
APPROVAL

**FAILURE TO COMPLY WITH THIS SCHEDULE WILL RESULT IN THE PRECLUSION OF THE  
OFFENDING PARTY OR WAIVER OF EBT BY NON-APPEARING PARTY, UNLESS  
OTHERWISE ORDERED BY THE COURT.**

5. PHYSICAL  
EXAMINATION:

- A. Defendant to designate physician(s) in writing by \_\_\_\_\_.
- B. Examination to be held by \_\_\_\_\_.
- C. Copy of physician’s report to be furnished within 30 days of examination.

- **FAILURE TO TIMELY DESIGNATE WILL RESULT IN A WAIVER OF SUCH EXAMINATION, UNLESS OTHERWISE ORDERED BY THE COURT.**

- **FAILURE TO COMPLY WILL RESULT IN PLAINTIFF’S PRECLUSION FROM OFFERING ANY EVIDENCE AT TRIAL REGARDING THEIR PHYSICAL CONDITION, UNLESS OTHERWISE ORDERED BY THE COURT.**

6. OTHER  
DISCLOSURE:

- A. None.
- B. All parties to exchange names and addresses of all witnesses, opposing parties’ statements and photographs. If none, an affirmation to that effect shall be exchanged by \_\_\_\_\_.
- C. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ to be served by \_\_\_\_\_.

and it is further

**ORDERED** that plaintiff \_\_\_\_\_ shall serve and file a Note of Issue and Certificate of Readiness on or before \_\_\_\_\_. The failure to file a Note of Issue as required by this order may subject the plaintiff to fines. Plaintiff may not file a Note of Issue unless all discovery due by plaintiff has been completed pursuant to this order. A party that files a Note of Issue where that party has not complied with this order may be subject to costs and/or sanctions; and it is further

**ORDERED** that the Court will require strict adherence to 22 NYCRR § 202.20-f and any motion not supported by an affidavit or affirmation in conformance with Section 202.20-f(b) will be denied with leave to renew upon proper papers.

**ORDERED** that failure to comply with the directives and schedule detailed herein will result in either *a waiver of the item requested or the preclusion of items or testimony of the offending party’s evidence at the time of trial and/or the imposition of costs and sanctions*, unless otherwise ordered by the Court.

**DATED:** \_\_\_\_\_

**ENTER:** \_\_\_\_\_

**Hon. Mary Ann Brigantti, J.S.C.**