

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: CIVIL TERM: PART 12

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IN RE 91ST STREET CRANE COLLAPSE LITIGATION:

Index No. 771000/2010E
Date: 9/2/2011

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THIS DOCUMENT RELATES TO: ALL CASES

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CASE MANAGEMENT ORDER NO. 16

PAUL G. FEINMAN, J.:

I. Next Compliance Conference:

The next compliance conference shall be held at 2:15 p.m. on Thursday, October 6, 2011.

II. Group 2 Plaintiff Discovery:

To the extent any Group 2 plaintiff has failed to provide responses to discovery demands served on them by another party, such responses must be provided within 20 days from the date of this case management order. In addition, authorizations previously requested by counsel for the New York Crane defendants, pursuant to CMO #1, must also be provided within the same time period. The failure to comply with this order may result in the imposition of sanctions, including, but not limited to, monetary sanctions, an order of preclusion, or dismissal of plaintiff's complaint.

III. Deposition Scheduling Order Revisions

Prior to the compliance conference held on September 1, 2011, the parties submitted a list of all party depositions that remained outstanding. At the September 1st conference, several parties asked the court to consider certain scheduling conflicts when setting a revised deposition schedule. The court has endeavored to give these matters proper consideration while balancing them with the need to efficiently move the litigation forward. As a result, the court has changed

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the order in which some of the parties will be deposed, which may not necessarily reflect the order that these parties are listed in the caption. However, the court finds that no prejudice will result from this departure. The deposition schedule set forth in CMO #14 shall be amended as follows, subject to future modifications that this court may deem fit:

Track 1

September 7:	Howard I. Shapiro & Associates Consulting Engineers, P.C.
September 12:	Howard I. Shapiro & Associates Consulting Engineers, P.C.
September 14:	Howard I. Shapiro & Associates Consulting Engineers, P.C.
September 19:	Total Safety Consulting, LLC
September 21:	McLaren Engineering Group and M.G., McLaren, P.C.
September 23:	McLaren Engineering Group and M.G., McLaren, P.C.
September 26:	Total Safety Consulting, LLC
October 3:	Mometal Structures, Inc.
October 5:	Lucius Pitkin, Inc.
October 10:	Lucius Pitkin, Inc.
October 12:	Lucius Pitkin, Inc.
October 17:	International Union of Operating Engineers, Local 14-14B

Track 2:

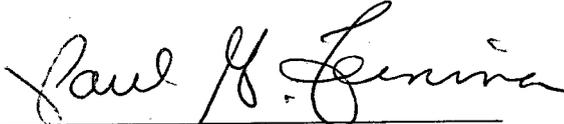
October 19:	Allstate Insurance Company
October 21:	Berman
October 24:	Burch
October 26:	Calabro
October 28:	Conneely
October 31:	Doran
November 2:	First & 91 LLC
November 4:	Greater New York Mutual Insurance
November 7:	Greater New York Mutual Insurance
November 9:	Greater New York Mutual Insurance
November 11:	Harss
November 14:	Kling
November 16:	Leino
November 18:	Odermatt
November 28:	Odermatt
November 30:	Oddo
December 2:	Rizzocasio

December 5: Taylor
December 7: Wellens
December 9: Bryant

The parties remain free to alter this deposition schedule so long as all parties execute a stipulation clearly detailing any such changes and provided that the court is furnished with a copy of such stipulation at least one week in advance of any such amendments. Attached to the stipulation should be a complete revised schedule reflecting the changes. Even where an agreement cannot be reached, any future request for an alteration of a deposition scheduling order must be accompanied by a proposed revised schedule, or risk not being considered by the court.

This constitutes the order of the court.

Dated: September 2, 2011
New York, New York



J.S.C.