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SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK - COUNTY OF NASSAU  
PRESENT: HONORABLE JOHN M. GALASSO, J.S.C.

.....  
MAXWELL MARSH, infant by his father and  
natural guardian, BRADLEY MARSH,  
Plaintiff,

Index No. 8323/08  
Sequence #001 #002  
Part 40

- against -

OLGA MILMAN, ALEXANDER MILMAN,  
HENDRICKSON BUS CORPORATION  
and DAWN GRAF, Defendants.

11/7/2008

.....	
Notice of Motion.....	1
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Correspondence w/Attachments dated 10/21, 24 & 27/08 ; One Duplicate Set by defendant Dawn Marie Graf .....	3,4
Correspondence dated 10/23/08 as Initial DCM Assignment Notice - Supreme Court.....	5
Correspondence dated 10/29/08 by Thomas P. Phelan, J.S.C.....	6

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Upon the foregoing papers and without opposition, defendants' motion for a joint trial of this action with a related action currently assigned to Justice Thomas P. Phalen, Graf v. Milman, Index Number 7766/08 is determined as follows:

Defendants Hendrickson Bus Corporation and Dawn Graf's motion marked returnable on November 7, 2008 (Seq.#002) received no opposition from plaintiff Maxwell Marsh. Consequently, the Court advanced defendants Olga Milman and Alexander Milman's motion for identical relief (Seq.#001) from November 12 to November 7, 2008 in order to expedite the decision.

The action before Justice Phelan has already held its Preliminary Conference and is scheduled for a Compliance Conference on FEBRUARY 26, 2009. The action at bar is scheduled for its Preliminary Conference on NOVEMBER 19, 2008.

Since Dawn Graf is a defendant on the instant application and also the plaintiff on Justice Phelan's case, there can be no true consolidations. However, the undersigned directs that a joint trial be held.

In addition, it is ordered that the parties on both actions conduct joint discovery and that the NOVEMBER 19, 2008 Preliminary Conference under Marsh v. Milman state that the Compliance

MARSH v. MILMAN

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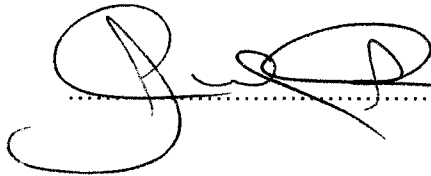
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Conference shall be scheduled for FEBRUARY 26, 2009.

With Justice Phelan's permission, the matter of Graf v. Milman, Index Number 7768/08 is hereby transferred to the undersigned and the Clerk is directed to place this action on Justice M. Galasso's Compliance Conference Calendar for FEBRUARY 26, 2009.

Movants Hendrickson Bus Corporation and Dawn Graf are directed to provide a copy of this decision to the parties on both actions.

Dated: November 10, 2008

 J.S.C.

**ENTERED**  
NOV 13 2008  
NASSAU COUNTY  
COUNTY CLERK'S OFFICE