

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

PRESENT: EDWARD H. LEHNER
Justice

PART 19

Dodi Blumstein

- v -
Camp Avraham

INDEX NO. 119321/2003

MOTION DATE _____

MOTION SEQ. NO. 004

MOTION CAL. NO. _____

The following papers, numbered 1 to _____ were read on this motion to/for _____

PAPERS NUMBERED

Notice of Motlon/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits _____

Replying Affidavits _____

Cross-Motion: Yes No

Upon the foregoing papers, it is ordered that this motion *and cross-motion*
are resolved in accordance with the
parties' stipulation dated June 19, 2006.

FILED
JUL 05 2006
NEW YORK
COUNTY CLERK'S OFFICE

feh
J.S.C.

Dated: JUN 23 2006

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST REFERENCE

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE
FOR THE FOLLOWING REASON(S):

SUPREME COURT OF STATE OF NEW YORK
COUNTY OF NEW YORK

DODI BLUMSTEIN,

Plaintiff,

Index No: 119321/03

- against -

CAMP AVRAHAM HELLER STERNBERG, INC., ESTI
KARP, ROCHEL JUNI, YAEL KELMAN and RIVKA
KRAWIECZ,

**SO-ORDERED
STIPULATION
RESOLVING MOTION
AND CROSS-MOTION**

Defendant.

IT IS HEREBY STIPULATED AND AGREED that the defendant's motion to strike the Note of Issue and to require plaintiff to provide additional discovery or be precluded for adducing evidence, and plaintiff's cross-motion to vacate the Note of Issue and to amend her Bill of Particulars are resolved as follows:

1. There will be a framed issue trial solely on negligence issues before a jury, and subsequently a trial on damages and proximate cause, if necessary, to be held not less than 90 days following the completion of outstanding discovery on damages.
2. Plaintiff will provide HIPAA compliant authorizations as requested by defendants.
3. Plaintiff will submit to a further deposition and to additional and further Independent Medical Examinations, as determined by defendants after plaintiff's further deposition.

FILED
JUL 05 2006
NEW YORK
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4. Plaintiff's default in appearance on the June 9, 2006 return date is vacated.

5. Plaintiff's cross-motion for leave to serve an Amended Bill of Particulars is withdrawn without prejudice to renew.


6. Defendants waive their right to file a dispositive motion prior to trial.

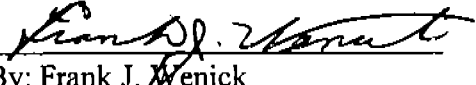
7. At the framed issue trial on negligence, evidence of injury or treatment may be adduced only as it relates to the events upon which negligence is alleged.

Dated: New York, New York
June 19, 2006

FLOMENHAFT & CANNATA, LLP

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RIVKA KRAWIECZ
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New York, New York 10016-7900
(646) 837-0100

So Ordered: _____
Honorable Edward Lehner
Justice of the Supreme Court