

ORIGINAL

At I.A.S. Part 66 of the Supreme Court of the State of New York, County of Kings, 360 Adams St, Brooklyn, NY 11201 on the 15 day of January, 2013

PRESENT:

Hon. Richard Velasquez, J.S.C.

KINGS COUNTY CLERK
FEE PD \$ 45.00

[Handwritten Signature]

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

TAJ ZEHRI,

Plaintiff,

-against-

BEXIN MANAGEMENT, INC., BAHRAM
BENARESH, BOX CONSTRUCTION OF NY, INC., and
BEXIN REALTY CORPORATION,

Defendants.

Index No.: 20688/2011

(Kings Cty Index:)

ORDER TO SHOW CAUSE
WITH TEMPORARY STAY

CD

(P)

UPON THE READING and filing of the annexed Affirmation of William H. Grae, dated January 14, 2013, the Affirmation of Compliance with Rule 202.7(f) of William H. Grae, also dated January 14, 2013, the exhibits annexed thereto and upon all the pleadings and proceedings heretofore had herein, including but not limited to the Court's prior Orders dated October 16, 2012, and December 5, 2012, which granted defendants leave to move for relief in connection with discovery issues that could not be resolved at a Preliminary Conference;

LET plaintiff show cause at an IAS Part 66 located in Room 524 of the Courthouse located at 360 Adams Street, Brooklyn, NY 11201 on the 20th day of February, 2013, at 9:30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard;

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WHY an Order should not be entered granting the following relief:

1. Pursuant to Rule 3126 of the Civil Practice Law and Rules, ("CPLR"), compelling plaintiff to comply with defendants' outstanding discovery demands, including but not limited to production of authorizations for release of employment, medical and mental-health records, that pre-date the accident giving rise to the instant action;
2. Pursuant to Rules 3024 and 3126 of the CPLR, compelling plaintiff to comply with defendants' outstanding demand for particulars by serving a supplemental verified bill of particulars that sets forth outstanding particulars plaintiff has heretofore refused to disclose;
3. Pursuant to Rule 3126 of the CPLR compelling plaintiff to comply with defendants' outstanding demand for online social media disclosure, insofar as plaintiff's allegations of cognitive impairment, disability, and loss of enjoyment of life, eliminate any legitimate basis for plaintiff to withhold such production; and
4. Granting such other, further and different relief as the Court deems just and proper.

stay
FURTHER, pending a hearing on this matter, and upon the reading and filing of the annexed proof of notice to respondents in **compliance with Uniform Rule 202.7(d)**, it is hereby ORDERED that further proceedings herein, including the conduct of a Preliminary Conference, shall be stayed,

SUFFICIENT CAUSE BEING ALLEGED THEREON;

LET SERVICE of this Order together with the papers upon which it is based be made on plaintiff's counsel by ~~Certified and First Class Mail~~ ^{Personal service}, SAID SERVICE to be effectuate on or before the 25th th day of January, 2013

ENTER:

RLV
_____, J.S.C.

SO ORDERED

Hon. Richard Velasquez

JAN 15 2013