

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

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TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**SIGNING REQUIREMENT  
CERTIFICATION**

-against-

**Pursuant to 22 NYCRR §130-1.1-a**

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.  
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Pursuant to 22 NYCRR 130-1.1-a, the undersigned, an attorney admitted to practice in the Courts of the State of New York, hereby certifies that, to the best of my knowledge, upon information and belief, and after reasonable inquiry under the circumstances, the presentation of the papers listed below or the contentions contained in the annexed documents are not frivolous as defined in 22 NYCRR §130-1.1(c):

**DEMAND FOR A BILL OF PARTICULARS, DEMAND FOR A LIST OF ATTORNEYS, NOTICE TO PRODUCE AUTHORIZATIONS, CPLR §4545 DEMAND, REQUEST FOR IDENTITY OF WITNESSES AND NOTICE TO PRODUCE, DEMAND FOR EXPERT WITNESS DISCLOSURE, DEMAND FOR PARTY STATEMENTS, DEMAND FOR TRIAL BY JURY, DEMAND FOR PHOTOGRAPHS, VIDEO AND AUDIOTAPES, NOTICE TO PRODUCE MEDICARE/MEDICAID LIEN INFORMATION, DEMAND FOR DISCLOSURE OF MEDICARE BENEFITS/ELIGIBILITY, CPLR §3017 DEMAND, DEMAND FOR SOCIAL NETWORKING INFORMATION, NOTICE TO PRODUCE RECORDS PURSUANT TO CPLR §3120**

Dated: White Plains, New York  
January 6, 2022

Yours, etc.,

HEIDELL, PITTONI, MURPHY & BACH, LLP

By:   
THOMAS M. GROVE, ESQ.  
81 Main Street, Ste. 112  
White Plains, New York 10601  
(914) 559-3100  
[rgibson@hpmb.com](mailto:rgibson@hpmb.com)

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR VERIFIED  
BILL OF PARTICULARS**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

PLEASE TAKE NOTICE that, pursuant to Rule 3041 et seq., of the Civil Practice Law and Rules, plaintiff is hereby required to serve upon HEIDELL, PITTONI, MURPHY & BACH, LLP, attorneys for the defendant HOSPITAL FOR SPECIAL SURGERY, within twenty (20) days after service of a copy of this demand, a verified bill of particulars of the complaint, setting forth in detail the following:

1. The address of plaintiff, at the times mentioned in the complaint, and the address of plaintiff at present.
2. State the date and place of birth of plaintiff.
3. State the dates and times of day of the alleged negligent acts and/or omissions which will be alleged against defendant.
4. State with specificity the exact location of the alleged negligent acts and/or omissions charged against defendant.
5. Provide a statement of each and every act of negligence, commission or omission, which plaintiff will claim is the basis of the alleged malpractice of the defendant.
6. State the names of each and every person who performed such acts of negligence or failed to act; if the names are not known, describe the physical appearance of such

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person with sufficient clarity for ready identification, and state the occupation of each such person.

7. Provide a statement of the accepted medical practice, customs and medical standards which it will be claimed were violated and departed from by the defendant.

8. State the manner in which the defendant departed from each of the above accepted medical practices, customs and standards.

9. State whether or not any claim is to be made as to improper or defective equipment, and, if so, identify the equipment and state the defective condition.

10. If the plaintiff will claim that the defendant ignored complaints, signs and symptoms; made an erroneous diagnosis; afforded improper treatment; administered improper and/or contra-indicated drugs; administered improper drugs and an incorrect dosage; failed to take or administer tests; or, improperly took and administered tests, state:

- a. The complaints, signs and symptoms that the defendant ignored.
- b. In what respect the diagnosis was erroneous and incorrect; what the claimed correct diagnosis is; the point and time that the plaintiff will claim defendant should have made the correct diagnosis.
- c. The improper treatment that was afforded and in what manner the said treatment was improperly performed.
- d. The name of each and every improper and/or contra-indicated drugs.
- e. The name of each proper drug allegedly administered incorrectly, with the dosage that the plaintiff will claim was the correct dosage.
- f. The name and/or description of each and every test defendant failed to make or administer.
- g. The name of each and every test defendant improperly took or administered, and the manner in which the test was improperly taken or administered.

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11. State what laws of the State of New York or health code provisions were allegedly violated by defendant.

12. Set forth the specific condition, injuries, or aggravations which will be claimed were sustained by the plaintiff by reason of the negligence or malpractice on the part of defendant.

13. State the length of time plaintiff was confined to each of the following, solely by reason of the alleged negligence or malpractice of the defendant, setting forth the dates of confinement to each:

- a. Bed.
- b. House.
- c. Hospital(s) - setting forth the names and addresses and dates of confinement of each institution.

14. State separately the total amount claimed by plaintiff as special damages for each of the following:

- a. Physicians' services, including the name and address of each physician and the date services were rendered.
- b. Dental services.
- c. Nurses' services and the dates of such services.
- d. Medical supplies and place and date of purchase.
- e. Hospital expenses, with the amounts listed separately next to the name of each hospital.
- f. Loss of earnings, together with the name and address of the employer.
- g. Drugs, including the name and address of the pharmacist by whom they were dispensed and the date of dispensing.

15. Pursuant to CPLR §4545 identify all providers of any collateral source payment for medical care and/or for disability such as insurance, social security, worker's compensation or employee benefit programs. For each collateral source provider identify the limits of coverage available to the plaintiff. Provide the address and claim number for each collateral source provider.

16. State the occupation of the plaintiff. If employed, set forth the name and address of the employer. If a student, set forth the name and address of the school. If it will be claimed that any time was lost from work or school as a result of the negligence or malpractice of defendant, set forth the amount of time that will be claimed to have been lost and the inclusive dates of same.

17. State whether the plaintiff will claim any impairment of earning capacity or loss of future earnings as a result of injuries allegedly sustained in the complaint. If so, state:

- a. The amount claimed as damages and the methods of computing this amount.
- b. The facts upon which such claim is based.

18. State the physical and mental condition of the plaintiff when defendant first saw plaintiff in a professional capacity with respect to the matters alleged in the complaint. If such person was in all respects in good health at the time, so state specifically. If not, set forth a condition or conditions from which such person was then suffering, including each and every symptom of which such persons complained of at the time.

19. If the plaintiff was treated at a hospital other than defendant for the aforesaid condition or conditions enumerated in the preceding paragraph prior to the time alleged in the complaint, state the name and address of such other hospital and/or doctors that provided care or

treatment for the aforesaid condition or conditions, including the dates of attendance and receipt of medical care.

20. If it will be claimed that the defendant should have taken, or caused to be taken, any x-rays or imaging studies of the plaintiff, set forth:

- a. The nature of the x-rays or imaging studies which it will be claimed should have been taken.
- b. The dates when the x-rays or imaging studies should have been taken.
- c. What condition or conditions would have been revealed by the taking of the aforesaid x-rays or imaging studies on each and every aforesaid date.

21. State the ground upon which plaintiff claim that this action exceeds the jurisdictional limits of the Civil Court of the City of New York and entitled plaintiff to bring this action in the Supreme Court of the State of New York.

22. State each and every act of negligence, commission or omission, which plaintiff will claim was the basis of the alleged malpractice and negligence of each and every co-defendant in this action.

23. State the social security number of plaintiff.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

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TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR LIST OF  
ATTORNEYS**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

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The undersigned, attorneys for defendant HOSPITAL FOR SPECIAL SURGERY, hereby demand that you serve upon them a list of those who have appeared or who have demanded service of copies of papers in this action, together with their post office addresses and the names and addresses of their attorneys.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**NOTICE TO PRODUCE  
AUTHORIZATIONS**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

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**PLEASE TAKE NOTICE** that, we request that on February 7, 2022, at 10:00  
a.m., you produce at our office:

- (1) Pursuant to CPLR §3121, duly executed authorizations to enable the undersigned to obtain copies of relevant records of hospitals and physicians from whom plaintiff received care and treatment at the time of the alleged negligence or malpractice and prior and subsequent thereto.
- (2) Pursuant to CPLR §4546, a duly executed written original authorization on IRS Form 4506, to enable the undersigned to obtain copies of income tax records of the plaintiff for five years prior to the date of the alleged negligence or malpractice and for all years in which income tax returns have been filed subsequent to the date of the alleged malpractice.
- (3) Pursuant to CPLR §3121, duly executed authorizations to enable the undersigned to obtain copies of any and all records referable to the plaintiff maintained by any and all collateral source payors and other health care cost payors and reimbursers.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff’s counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff’s claims herein.

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In lieu of a personal appearance to produce the requested authorizations, it will be acceptable that they be mailed to us provided that they are received not later than February 7, 2022.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
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(212) 871-1300

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

-----X

TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**CPLR §4545 DEMAND**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

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**PLEASE TAKE NOTICE** that, pursuant to Section 4545 of the CPLR,  
defendant HOSPITAL FOR SPECIAL SURGERY, demands that on or about February 7, 2022,  
plaintiff serve a verified statement, setting forth:

1. Whether plaintiff has been reimbursed or indemnified for economic loss claimed in this action from any collateral source:
  - a. If the answer to the foregoing is in the affirmative, state for which such claims plaintiff has received payment, the amount thereof and the name and address of the person, firm or organization who made such payment.
  - b. If such payment was made by an insurance company, state the number of the policy under which paid.
2. Whether plaintiff has made claim for payment for economic loss which has not as yet been paid.
  - a. If the answer to the foregoing is in the affirmative, state the name of the person, firm or organization to whom such claim was presented, the date of presentation and the amount claimed.
  - b. If such claim was presented to an insurance company, state the number of the policy under which same was made.

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**PLEASE TAKE FURTHER NOTICE**, that plaintiff is required to provide a copy of the policies in effect for each collateral source provider.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff's counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff's claims herein.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

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TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**NOTICE TO PRODUCE  
MEDICARE/MEDICAID  
LIEN INFORMATION**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, demand is hereby made upon the plaintiff to produce for inspection and/or obtain the following pursuant to CPLR Article 31 to serve upon the offices of HEIDELL, PITTONI, MURPHY & BACH, LLP, the attorneys for defendant HOSPITAL FOR SPECIAL SURGERY:

1. A sworn statement as to whether plaintiff has received benefits from Medicare at any time, for any reason, not limited to the injuries and treatment alleged in the present action. If so, demand is further made that plaintiff provide the following:
  - a. Plaintiff's date of birth;
  - b. Plaintiff's Social Security Number;
  - c. The Medicare file and/or identification number;
  - d. The name and address of the office handling the Medicare file; and
  - e. Copies of all documents in the possession of plaintiff or his/her attorneys relating to plaintiff's receipt of Medicare benefits, including, but not limited to, claim forms, accompanying checks sent by Medicare, lien papers, and all other papers received from Medicare or the Agency handling the Medicare claim; and
  - f. A duly executed HIPAA compliant authorization bearing plaintiff's date of birth and social security number and the Medicare file number permitting HEIDELL, PITTONI, MURPHY

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& BACH, LLP, or its designee to obtain copies of plaintiff's Medicare records.

2. A sworn statement as to whether plaintiff has received benefits from Medicaid at any time, for any reason, not limited to the injuries and treatment alleged in the present action. If so, demand is further made that plaintiff provide the following:

- a. Plaintiff's date of birth;
- b. Plaintiff's Social Security Number;
- c. The Medicaid file and/or identification number;
- d. The name and address of the office handling the Medicaid file; and
- e. Copies of all documents in the possession of plaintiff or his/her attorneys relating to plaintiff's receipt of Medicaid benefits, including, but not limited to, claim forms, accompanying checks sent by Medicaid, lien papers, and all other papers received from Medicaid or the Agency holding the Medicaid claim; and
- f. A duly executed HIPAA compliant authorization bearing plaintiff's date of birth and social security number and the Medicaid file number, permitting HEIDELL, PITTONI, MURPHY & BACH, LLP or its designee to obtain copies of plaintiff's Medicaid records.

**PLEASE TAKE FURTHER NOTICE**, the foregoing demands are continuing.

In the event any of the above items are obtained after services of this demand they are to be furnished to this office within thirty (30) days of receipt by the plaintiff, or their respective attorneys.

**PLEASE TAKE FURTHER NOTICE**, that if the demanded information is now known, it must be so stated in a sworn reply. This defendant will object at the time of trial to the testimony of any witness not supplied in accordance with this demand and will take all steps permitted by the CPLR to preserve its rights as to all other demands.

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**PLEASE TAKE FURTHER NOTICE** that, compliance can be made by forwarding a copy of these documents through the United States Postal Services within the time allowed.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

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TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

-against-

**DEMAND FOR  
DISCLOSURE OF  
MEDICARE  
BENEFITS/ELIGIBILITY**

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**COUNSELORS:**

**PLEASE TAKE NOTICE** that demand is hereby made that plaintiff provide the following information pursuant to 42 U.S.C. Section 1395y(b)(8)(A):

1. Has plaintiff been the recipient of Medicare benefits?
2. Is plaintiff currently the recipient of Medicare benefits?
3. If plaintiff has or is currently receiving Medicare benefits, please provide the following:
  - a. State the full name under which plaintiff was/is receiving Medicare benefits.
  - b. State plaintiff's full address, including city, state and zip code.
  - c. Plaintiff's telephone number.
  - d. Plaintiff's e-mail address.
  - e. Plaintiff's date of birth.
  - f. Plaintiff's social security number.
  - g. Plaintiff's Medicare beneficiary number (HICN).
4. If plaintiff has not received Medicare benefits in the past or is not receiving Medicare benefits now, state whether plaintiff is eligible to receive Medicare benefits.
5. If plaintiff has been receiving Medicare benefits and is now deceased, please provide

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the following:

- a. Relationship of the administrator of plaintiff's estate to plaintiff's decedent.
- b. Name and address of Plaintiff's administrator.
- c. Telephone number and/or e-mail address of plaintiff's administrator.
- d. Social Security Number of plaintiff's administrator

**PLEASE TAKE FURTHER NOTICE**, that failure to comply with this

Demand for Disclosure of Medicare Benefits/Eligibility may result in the necessity of a motion to compel discovery accompanied by a request for the appropriate costs.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**REQUEST FOR IDENTITY  
OF WITNESSES AND  
NOTICE TO PRODUCE**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

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**PLEASE TAKE NOTICE** that, pursuant to CPLR 3101(a) demand is hereby made that within twenty (20) days of receipt hereof, plaintiff furnish a verified statement setting forth the names and addresses of persons:

1. Who were present during any conversations between any defendant and plaintiff's decedent.
2. Who were present when any care and treatment was rendered by any defendant to plaintiff's decedent.
3. Who had any conversations with any defendant relative to care, treatment or condition of the plaintiff's decedent.
4. Who plaintiff claims to be a witness to the occurrence herein.

[NOTE: The term defendant, as used herein, is intended to include not only the party against whom the action is brought, but also agents, employees and representatives.]

If none of the above are known, a verified statement to the effect is requested.

This is a continuing demand and, in the event that witnesses become known, identification is to be furnished forthwith.

**PLEASE TAKE FURTHER NOTICE** that, demand is hereby made for production, within thirty (30) days of any writings or statements received by or in the possession of plaintiff or plaintiff's representatives:

1. From or made by our client.
2. From or made by any other party hereto.
3. For copies of writings from plaintiff's decedent directed to our client or any other party hereto.

**PLEASE TAKE FURTHER NOTICE**, that this demand shall include production of any diaries, including but not limited to memorandum or notes maintained by the plaintiff or someone within the control of the plaintiff with respect to events pertaining to the claims made in this lawsuit.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff's counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff's claims herein.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

2500618.1

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**CPLR §3017(c) DEMAND**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, pursuant to CPLR §3017(c), HOSPITAL FOR SPECIAL SURGERY requests that a supplemental demand, setting forth the total damages to which the plaintiff deems entitled in this action, be served upon the undersigned within twenty (20) days of the date of this notice.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff's counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff's claims herein.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

2500618.1

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR EXPERT  
WITNESS DISCLOSURE**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, pursuant to CPLR §3101(d)(1)(i), Thomas v. Alleyne, 302 A.D.2d 36, 752 N.Y.S.2d 362 (2d Dep't 2002), Muniz v. Our Lady of Mercy Medical Center, 2003 NY Slip Op 50910U; 2003 N.Y. Misc. LEXIS 617 (Sup. Ct. Bx. Cty. May 7, 2003), and Scher v. St-Lukes-Roosevelt Hospital, N.Y.L.J. Jan. 28, 2003, at 18, col. 4 (Sup. Ct. New York Cty.), HEIDELL, PITTONI, MURPHY & BACH, LLP, as attorneys for defendant HOSPITAL FOR SPECIAL SURGERY, hereby demand that you disclose, within 20 days of receipt of this demand, the following:

1. The identity of each expert whom you expect to call as a witness at trial.
2. The qualifications, in reasonable detail, of each expert, including
  - a. educational background, including
    - i. The undergraduate school(s) attended by such expert(s), with year of graduation;
    - ii. The medical school(s) attended by such expert with year of graduation;
    - iii. internship(s) with dates of attendance;
    - iv. residency(ies), with dates of attendance;
    - v. fellowship(s), with years of attendance;

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- b. publications, including
    - i. The title of any text authored, contributed to, or edited by the expert(s), with appropriate citation, including
      - (1) Name of publication;
      - (2) Volume number;
      - (3) Date or other appropriate identifying matter;
  - c. memberships in professional organizations and societies;
  - d. board certifications, including
    - i. The name of the certifying board, and
    - ii. The year of the certification;
  - e. medical license(s), all, state and foreign;
  - f. areas of specialty and subspecialty practice;
  - g. employers, past and present;
  - h. hospital affiliations, past and present;
  - i. academic appointments, past and present;
  - j. total number and frequency each year expert treats the condition at issue and last occasion expert treated the medical condition or conditions at issue;
  - k. total number and frequency each year expert is deemed qualified to offer opinion testimony during legal proceedings and last occasion expert was deemed so qualified;
  - l. total number and frequency each year expert is deemed qualified to offer opinion testimony during legal proceedings, and last occasion expert was deemed so qualified, regarding the medical condition or conditions and theory or theories of causation at issue.
3. The subject matter, in reasonable detail, upon which each expert is expected to testify.

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4. The substance, in reasonable detail, of the opinions and conclusions to which each expert is expected to testify.
5. A summary, in reasonable detail, of the grounds for each expert's opinion, including:
  - a. a summary of the facts upon which the expert will rely in formulating his/her opinions and conclusions;
  - b. the source or sources of the expert's knowledge concerning such facts, including, but not limited to, records, reports, statistics, studies, surveys, test results, analyses, models, photographs; and
  - c. all other documents, materials, or oral communications relied upon by the expert which provide the basis for his/her opinions.

**PLEASE TAKE FURTHER NOTICE** that this demand is a continuing demand, and objection will be taken and an order of preclusion sought regarding the expert opinion testimony of any witness not identified as demanded herein.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X

TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR PARTY  
STATEMENTS**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, in accordance with the Civil Practice Law and Rules, we request that on February 7, 2022, at 10:00 a.m., you produce at our office any prior statements of the defendant in this matter to any regulatory commission, board or other in an official capacity, in written, recorded, electronic or other form, that are in possession or control of plaintiff or plaintiff's agents, including counsel, to include but not be limited to any and all correspondence, emails, records, reports, films, prescription slips, bills and informational materials obtained from or received by plaintiff from the defendant.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff's counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff's claims herein.

In lieu of a personal appearance to produce the requested statements, it will be acceptable that copies be mailed to us provided that they are received not later than February 7, 2022.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR  
TRIAL BY JURY**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**COUNSELORS:**

**PLEASE TAKE NOTICE**, with respect to this action, and pursuant to CPLR §4102(a), the undersigned demands a trial by a jury composed of six (6) persons and a number of alternates to be determined by the Court.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

-against-

**DEMAND FOR  
PHOTOGRAPHS, VIDEO  
AND AUDIOTAPES**

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**COUNSELORS:**

**PLEASE TAKE NOTICE** that, pursuant to the applicable rules of the CPLR, demand is hereby made upon you to furnish to the undersigned, within twenty (20) days of receipt of this Demand, the following:

- (1) Color copies of any and all photographs and/or video depicting injuries, conditions or deficits allegedly sustained by plaintiff as a result of defendant's conduct in this action.
- (2) Any and all audio cassettes and/or CD's depicting any conversations pertaining to plaintiff's treatment, condition and/or injuries.

**PLEASE TAKE FURTHER NOTICE** that, failure to comply with this demand will serve as a basis for a motion to preclude the plaintiff, upon a trial of this action, from adducing evidence in support of plaintiff's claims herein.

**PLEASE TAKE FURTHER NOTICE** that, black and white Xerox copies of photographs will not be considered as compliance with this demand.

**PLEASE TAKE FURTHER NOTICE** that, this is an ongoing demand.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Plaintiff,

- against -

RILEY J. WILLIAMS III, M.D. and HOSPITAL  
FOR SPECIAL SURGERY,

Defendants.

-----X

Index No.: 805381/2021

**NOTICE TO PRODUCE  
RECORDS PURSUANT  
TO CPLR §3120**

**PLEASE TAKE NOTICE** that, we request that on February 7, 2022, at 10:00 a.m., you produce at our office:

1. Pursuant to CPLR §3120, a copy of the medical records, imaging studies, text messages, e-mails, and reports plaintiff and plaintiff’s counsel have in their possession, custody, or control relating to the medical care/treatment of plaintiff.
2. Pursuant to CPLR §3120, a copy of the financial, employment, receipts, and invoices plaintiff and plaintiff’s counsel have in their possession, custody, or control relating to plaintiff’s claims for economic damages.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff’s counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff’s claims herein.



In lieu of a personal appearance to produce the requested materials, it will be acceptable that they be mailed to us provided that they are received no later than February 7, 2022.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Plaintiff,

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

COUNSELORS:

Index No.: 805381/2021

**DEMAND FOR SOCIAL  
NETWORKING  
INFORMATION**

PLEASE TAKE NOTICE that, pursuant to CPLR §3120, and based on the principals and standards set forth in CPLR §3101, you are hereby required to produce for discovery and inspection at the office of the undersigned, within thirty (30) days from the date of service of this notice upon you, the following:

1. A list of every social media site that plaintiff is currently member(s) of or was previously a member of or belonged to from one year prior to the claimed injury in this matter up to and including the current date (this includes, but is not limited to: Facebook, Twitter, TikTok, Instagram, LinkedIn, etc., that reference, pertain to, contradict, and/or contrast plaintiff’s alleged injuries or claims;
2. Copies of any screen shots of: wall postings; blog entries or posts; “tweets;” status updates; on the social websites identified in paragraph “1” that contain any posting/communication/statement/declaration/etc. that are reasonably calculated to result in discoverable evidence;
3. A list of all email addresses used or created by or for plaintiff to present;
4. Copies of all e-mail communications sent or received by plaintiff to present that constitute statements against interest or party statements, that are reasonably calculated to lead to discoverable evidence;

PLEASE TAKE NOTICE that, CPLR §3101(a) provides that there shall be full disclosure of all matter “material and necessary in the prosecution or defense of any action

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regardless of the burden of proof.” Parties are entitled to materials that tend to prove or disprove the condition or care at issue, subject to reasonable cost. Should you deem the costs of production are unreasonable, you must provide an authorization so we may obtain the materials directly.

PLEASE TAKE NOTICE that, production of this material must be provided for every name established by or for plaintiff. This includes any account created or set up in plaintiff’s legal name, alias, or fictitious name (e.g., including but not limited to, a “handle,” “avatar,” “screen name,” “user name,” and/or “log-in name”).

PLEASE TAKE NOTICE that, the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff’s counsel, will serve as the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff’s claims herein or a charge of spoliation to the jury.

PLEASE TAKE NOTICE that, all authorizations for release of medical records must be in proper format and be in full compliance with the Health Insurance Portability and Accountability Act (HIPAA), and should indicate that the authorizations will not expire until after resolution of this matter.

PLEASE TAKE NOTICE that, this demand does not call for the production of privileged materials, materials prepared in anticipation of this litigation with plaintiff’s attorney, or communications between plaintiff’s attorney

PLEASE TAKE NOTICE that, defendant HOSPITAL FOR SPECIAL SURGERY is entitled to this material as a matter of law and it must be produced at plaintiff’s

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expense. Any materials that require extensive copying or production costs will be apportioned proportionally according to judicial determination.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
HOSPITAL FOR SPECIAL SURGERY

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**SIGNING REQUIREMENT  
CERTIFICATION**

-against-

**Pursuant to 22 NYCRR §130-1.1-a**

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.  
-----X


Pursuant to 22 NYCRR 130-1.1-a, the undersigned, an attorney admitted to practice in the Courts of the State of New York, hereby certifies that, to the best of my knowledge, upon information and belief, and after reasonable inquiry under the circumstances, the presentation of the papers listed below or the contentions contained in the annexed documents are not frivolous as defined in 22 NYCRR §130-1.1(c):

**DEMAND FOR A BILL OF PARTICULARS, DEMAND FOR A LIST OF ATTORNEYS, NOTICE TO PRODUCE AUTHORIZATIONS, CPLR §4545 DEMAND, REQUEST FOR IDENTITY OF WITNESSES AND NOTICE TO PRODUCE, DEMAND FOR EXPERT WITNESS DISCLOSURE, DEMAND FOR PARTY STATEMENTS, DEMAND FOR TRIAL BY JURY, DEMAND FOR PHOTOGRAPHS, VIDEO AND AUDIOTAPES, NOTICE TO PRODUCE MEDICARE/MEDICAID LIEN INFORMATION, DEMAND FOR DISCLOSURE OF MEDICARE BENEFITS/ELIGIBILITY, CPLR §3017 DEMAND, DEMAND FOR SOCIAL NETWORKING INFORMATION, NOTICE TO PRODUCE RECORDS PURSUANT TO CPLR §3120**

Dated: White Plains, New York  
January 6, 2022

Yours, etc.,

HEIDELL, PITTONI, MURPHY & BACH, LLP

By:   
THOMAS M. GROVE, ESQ.  
81 Main Street, Ste. 112  
White Plains, New York 10601  
(914) 559-3100  
[rgibson@hpmb.com](mailto:rgibson@hpmb.com)

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR VERIFIED  
BILL OF PARTICULARS**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

PLEASE TAKE NOTICE that, pursuant to Rule 3041 et seq., of the Civil Practice Law and Rules, Plaintiff is hereby required to serve upon HEIDELL, PITTONI, MURPHY & BACH, LLP, attorneys for the defendant RILEY J. WILLIAMS III, M.D., within twenty (20) days after service of a copy of this demand, a verified bill of particulars of the complaint, setting forth in detail the following:

1. The manner and respect in which it is claimed that the defendant was negligent, careless and unskillful.
2. a. The dates on which defendant rendered services.  
b. The dates and times of the day each alleged act of negligence of defendant occurred.  
c. The place or places where services were rendered by defendant.
3. The nature, location, extent and duration of each injury which it will be claimed was caused by the negligence of the defendant. If any injuries are claimed to be permanent, so state.
4. If it will be claimed the aforesaid injuries necessitated any hospitalizations or treatment at other institutions, set forth the following:
  - a. The names and addresses of each hospital or institution with

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the dates of confinement or outpatient treatment.

5. If it will be claimed that the aforesaid injuries necessitated treatment by any physicians, set forth the names and addresses of each physician and the dates of treatment or visits.

6. If it will be claimed that the aforesaid injuries necessitated confinement to bed or home, set forth the following:

- a. The dates of confinement to home.
- b. The dates of confinement to bed.

7. Set forth the following:

- a. The name and address of plaintiff's employer at the time of the alleged negligence.
- b. The capacity in which plaintiff was then employed.
- c. The name and address of plaintiff's present employer, if any.
- d. The capacity in which plaintiff is presently employed.

8. If loss of earnings is claimed as a result of the alleged negligence, set forth the following:

- a. Plaintiff's earnings for the last full year prior to the alleged negligence.
- b. The last date plaintiff worked prior to the alleged negligence.
- c. The loss of earnings claimed to date.
- d. The total amount of lost earnings which will be claimed.
- e. The dates which plaintiff claims to have been absent from work.

9. If plaintiff was a student at the time of the injury, set forth:

- a. The name and address of the school.
- b. The class or year at the time of the injury.

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- c. The dates of absence due to the claimed injuries.

10. If any special damages are claimed as a result of the alleged malpractice, set forth the following:

- a. The charges for the above named hospitals, listing each hospital separately.
- b. Physicians' charges.
- c. Charges for medicine, itemizing the medicines charged for.
- d. Charges for nursing services.
- e. Other.

11. Pursuant to CPLR §4545 identify all providers of any collateral source payment for medical care and/or for disability such as insurance, social security, worker's compensation or employee benefit programs. For each collateral source provider identify the limits of coverage available to the plaintiff. Provide the address and claim number for each collateral source provider.

12. As to any claims that the defendant rendered treatment without the patient's informed consent, state:

- a. Whether the patient signed a written consent authorizing the treatment rendered by defendant and, if so, the date and place of signing.
- b. What risks of the procedure or treatment were known to the patient before it was performed.
- c. What information concerning the risks was imparted to the patient by the defendant.
- d. What information concerning the risks was imparted to the patient by other physicians or through other sources.
- e. Whether any assurances were given by the patient that regardless of the risks, he/she would undergo the treatment or procedure.

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- f. Whether the patient indicated he/she did not want to be informed of risks.
- g. The circumstances making it reasonably possible for the defendant to obtain consent by or on behalf of the patient.
- h. What additional information, if any, plaintiff claims the defendant should have provided the patient concerning the procedure and/or treatment.
- i. Whether defendant's treatment was rendered in the course of an emergency.

13. If it is claimed that any negligence or malpractice occurred prior to treatment by the defendant, set forth the names of the persons responsible therefor and specify what acts or omissions constituted negligence.

14. If it is claimed that any negligence or malpractice occurred subsequent to the treatment by the defendant, set forth the names of the persons responsible therefor and specify what acts or omissions constituted negligence.

15. Set forth the patient's residence address at the time of the commencement of this action, and for five years prior thereto.

16. Set forth the patient's date of birth and social security number.

17. Set forth any other names by which the patient has been known and the dates of usage of any such other names.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

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TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR LIST OF  
ATTORNEYS**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

The undersigned, attorneys for defendant RILEY J. WILLIAMS III, M.D., hereby demand that you serve upon them a list of those who have appeared or who have demanded service of copies of papers in this action, together with their post office addresses and the names and addresses of their attorneys.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**NOTICE TO PRODUCE  
AUTHORIZATIONS**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, we request that on February 7, 2022, at 10:00  
a.m., you produce at our office:

- (1) Pursuant to CPLR §3121, duly executed authorizations to enable the undersigned to obtain copies of relevant records of hospitals and physicians from whom plaintiff received care and treatment at the time of the alleged negligence or malpractice and prior and subsequent thereto.
- (2) Pursuant to CPLR §4546, a duly executed written original authorization on IRS Form 4506, to enable the undersigned to obtain copies of income tax records of the plaintiff for five years prior to the date of the alleged negligence or malpractice and for all years in which income tax returns have been filed subsequent to the date of the alleged malpractice.
- (3) Pursuant to CPLR §3121, duly executed authorizations to enable the undersigned to obtain copies of any and all records referable to the plaintiff maintained by any and all collateral source payors and other health care cost payors and reimbursers.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff’s counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff’s claims herein.

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In lieu of a personal appearance to produce the requested authorizations, it will be acceptable that they be mailed to us provided that they are received not later than February 7, 2022.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**CPLR §4545 DEMAND**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, pursuant to Section 4545 of the CPLR,  
defendant RILEY J. WILLIAMS III, M.D., demands that on or about February 7, 2022, plaintiff  
serve a verified statement, setting forth:

1. Whether plaintiff has been reimbursed or indemnified for economic loss  
claimed in this action from any collateral source:
  - a. If the answer to the foregoing is in the affirmative, state for which  
such claims plaintiff has received payment, the amount thereof and  
the name and address of the person, firm or organization who made  
such payment.
  - b. If such payment was made by an insurance company, state the  
number of the policy under which paid.
  
2. Whether plaintiff has made claim for payment for economic loss which has not  
as yet been paid.
  - a. If the answer to the foregoing is in the affirmative, state the name  
of the person, firm or organization to whom such claim was  
presented, the date of presentation and the amount claimed.
  - b. If such claim was presented to an insurance company, state the  
number of the policy under which same was made.

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**PLEASE TAKE FURTHER NOTICE**, that plaintiff is required to provide a copy of the policies in effect for each collateral source provider.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff's counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff's claims herein.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**NOTICE TO PRODUCE  
MEDICARE/MEDICAID  
LIEN INFORMATION**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, demand is hereby made upon the plaintiff to produce for inspection and/or obtain the following pursuant to CPLR Article 31 to serve upon the offices of HEIDELL, PITTONI, MURPHY & BACH, LLP, the attorneys for defendant RILEY J. WILLIAMS III, M.D.:

1. A sworn statement as to whether plaintiff has received benefits from Medicare at any time, for any reason, not limited to the injuries and treatment alleged in the present action. If so, demand is further made that plaintiff provide the following:
  - a. Plaintiff's date of birth;
  - b. Plaintiff's Social Security Number;
  - c. The Medicare file and/or identification number;
  - d. The name and address of the office handling the Medicare file; and
  - e. Copies of all documents in the possession of plaintiff or his/her attorneys relating to plaintiff's receipt of Medicare benefits, including, but not limited to, claim forms, accompanying checks sent by Medicare, lien papers, and all other papers received from Medicare or the Agency handling the Medicare claim; and
  - f. A duly executed HIPAA compliant authorization bearing plaintiff's date of birth and social security number and the Medicare file number permitting HEIDELL, PITTONI, MURPHY

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& BACH, LLP, or its designee to obtain copies of plaintiff's Medicare records.

2. A sworn statement as to whether plaintiff has received benefits from Medicaid at any time, for any reason, not limited to the injuries and treatment alleged in the present action. If so, demand is further made that plaintiff provide the following:

- a. Plaintiff's date of birth;
- b. Plaintiff's Social Security Number;
- c. The Medicaid file and/or identification number;
- d. The name and address of the office handling the Medicaid file; and
- e. Copies of all documents in the possession of plaintiff or his/her attorneys relating to plaintiff's receipt of Medicaid benefits, including, but not limited to, claim forms, accompanying checks sent by Medicaid, lien papers, and all other papers received from Medicaid or the Agency holding the Medicaid claim; and
- f. A duly executed HIPAA compliant authorization bearing plaintiff's date of birth and social security number and the Medicaid file number, permitting HEIDELL, PITTONI, MURPHY & BACH, LLP or its designee to obtain copies of plaintiff's Medicaid records.

**PLEASE TAKE FURTHER NOTICE**, the foregoing demands are continuing.

In the event any of the above items are obtained after services of this demand they are to be furnished to this office within thirty (30) days of receipt by the plaintiff, or their respective attorneys.

**PLEASE TAKE FURTHER NOTICE**, that if the demanded information is now known, it must be so stated in a sworn reply. This defendant will object at the time of trial to the testimony of any witness not supplied in accordance with this demand and will take all steps permitted by the CPLR to preserve its rights as to all other demands.

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**PLEASE TAKE FURTHER NOTICE** that, compliance can be made by forwarding a copy of these documents through the United States Postal Services within the time allowed.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

-against-

**DEMAND FOR  
DISCLOSURE OF  
MEDICARE  
BENEFITS/ELIGIBILITY**

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X  
**COUNSELORS:**

**PLEASE TAKE NOTICE** that demand is hereby made that plaintiff provides the following information pursuant to 42 U.S.C. Section 1395y(b)(8)(A):

1. Has plaintiff been the recipient of Medicare benefits?
2. Is plaintiff currently the recipient of Medicare benefits?
3. If plaintiff has or is currently receiving Medicare benefits, please provide the following:
  - a. State the full name under which plaintiff was/is receiving Medicare benefits.
  - b. State plaintiff's full address, including city, state and zip code.
  - c. Plaintiff's telephone number.
  - d. Plaintiff's e-mail address.
  - e. Plaintiff's date of birth.
  - f. Plaintiff's social security number.
  - g. Plaintiff's Medicare beneficiary number (HICN).
4. If plaintiff has not received Medicare benefits in the past or is not receiving Medicare benefits now, state whether plaintiff is eligible to receive Medicare benefits.
5. If plaintiff has been receiving Medicare benefits and is now deceased, please provide

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the following:

- a. Relationship of the administrator of plaintiff's estate to plaintiff's decedent.
- b. Name and address of Plaintiff's administrator.
- c. Telephone number and/or e-mail address of plaintiff's administrator.
- d. Social Security Number of plaintiff's administrator

**PLEASE TAKE FURTHER NOTICE**, that failure to comply with this

Demand for Disclosure of Medicare Benefits/Eligibility may result in the necessity of a motion to compel discovery accompanied by a request for the appropriate costs.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

-against-

**REQUEST FOR IDENTITY  
OF WITNESSES AND  
NOTICE TO PRODUCE**

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, pursuant to CPLR 3101(a) demand is hereby made that within twenty (20) days of receipt hereof, plaintiff furnish a verified statement setting forth the names and addresses of persons:

1. Who were present during any conversations between any defendant and plaintiff's decedent.
2. Who were present when any care and treatment was rendered by any defendant to plaintiff's decedent.
3. Who had any conversations with any defendant relative to care, treatment or condition of the plaintiff's decedent.
4. Who plaintiff claims to be a witness to the occurrence herein.

[NOTE: The term defendant, as used herein, is intended to include not only the party against whom the action is brought, but also agents, employees and representatives.]

If none of the above are known, a verified statement to the effect is requested.

This is a continuing demand and, in the event that witnesses become known, identification is to be furnished forthwith.

**PLEASE TAKE FURTHER NOTICE** that, demand is hereby made for production, within thirty (30) days of any writings or statements received by or in the possession of plaintiff or plaintiff's representatives:

1. From or made by our client.
2. From or made by any other party hereto.
3. For copies of writings from plaintiff's decedent directed to our client or any other party hereto.

**PLEASE TAKE FURTHER NOTICE**, that this demand shall include production of any diaries, including but not limited to memorandum or notes maintained by the plaintiff or someone within the control of the plaintiff with respect to events pertaining to the claims made in this lawsuit.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff's counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff's claims herein.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

2500676.1

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300



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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**CPLR §3017(c) DEMAND**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, pursuant to CPLR §3017(c), RILEY J.

WILLIAMS III, M.D. requests that a supplemental demand, setting forth the total damages to which the plaintiff deems entitled in this action, be served upon the undersigned within twenty (20) days of the date of this notice.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff's counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff's claims herein.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

2500676.1

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR EXPERT  
WITNESS DISCLOSURE**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, pursuant to CPLR §3101(d)(1)(i), Thomas v. Alleyne, 302 A.D.2d 36, 752 N.Y.S.2d 362 (2d Dep't 2002), Muniz v. Our Lady of Mercy Medical Center, 2003 NY Slip Op 50910U; 2003 N.Y. Misc. LEXIS 617 (Sup. Ct. Bx. Cty. May 7, 2003), and Scher v. St-Lukes-Roosevelt Hospital, N.Y.L.J. Jan. 28, 2003, at 18, col. 4 (Sup. Ct. New York Cty.), HEIDELL, PITTONI, MURPHY & BACH, LLP, as attorneys for defendant RILEY J. WILLIAMS III, M.D., hereby demand that you disclose, within 20 days of receipt of this demand, the following:

1. The identity of each expert whom you expect to call as a witness at trial.
2. The qualifications, in reasonable detail, of each expert, including
  - a. educational background, including
    - i. The undergraduate school(s) attended by such expert(s), with year of graduation;
    - ii. The medical school(s) attended by such expert with year of graduation;
    - iii. internship(s) with dates of attendance;
    - iv. residency(ies), with dates of attendance;
    - v. fellowship(s), with years of attendance;

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- b. publications, including
    - i. The title of any text authored, contributed to, or edited by the expert(s), with appropriate citation, including
      - (1) Name of publication;
      - (2) Volume number;
      - (3) Date or other appropriate identifying matter;
  - c. memberships in professional organizations and societies;
  - d. board certifications, including
    - i. The name of the certifying board, and
    - ii. The year of the certification;
  - e. medical license(s), all, state and foreign;
  - f. areas of specialty and subspecialty practice;
  - g. employers, past and present;
  - h. hospital affiliations, past and present;
  - i. academic appointments, past and present;
  - j. total number and frequency each year expert treats the condition at issue and last occasion expert treated the medical condition or conditions at issue;
  - k. total number and frequency each year expert is deemed qualified to offer opinion testimony during legal proceedings and last occasion expert was deemed so qualified;
  - l. total number and frequency each year expert is deemed qualified to offer opinion testimony during legal proceedings, and last occasion expert was deemed so qualified, regarding the medical condition or conditions and theory or theories of causation at issue.
3. The subject matter, in reasonable detail, upon which each expert is expected to testify.

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4. The substance, in reasonable detail, of the opinions and conclusions to which each expert is expected to testify.
5. A summary, in reasonable detail, of the grounds for each expert's opinion, including:
  - a. a summary of the facts upon which the expert will rely in formulating his/her opinions and conclusions;
  - b. the source or sources of the expert's knowledge concerning such facts, including, but not limited to, records, reports, statistics, studies, surveys, test results, analyses, models, photographs; and
  - c. all other documents, materials, or oral communications relied upon by the expert which provide the basis for his/her opinions.

**PLEASE TAKE FURTHER NOTICE** that this demand is a continuing demand, and objection will be taken and an order of preclusion sought regarding the expert opinion testimony of any witness not identified as demanded herein.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR PARTY  
STATEMENTS**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**PLEASE TAKE NOTICE** that, in accordance with the Civil Practice Law and Rules, we request that on February 7, 2022, at 10:00 a.m., you produce at our office any prior statements of the defendant in this matter to any regulatory commission, board or other in an official capacity, in written, recorded, electronic or other form, that are in possession or control of plaintiff or plaintiff's agents, including counsel, to include but not be limited to any and all correspondence, emails, records, reports, films, prescription slips, bills and informational materials obtained from or received by plaintiff from the defendant.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff's counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff's claims herein.

In lieu of a personal appearance to produce the requested statements, it will be acceptable that copies be mailed to us provided that they are received not later than February 7, 2022.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

**DEMAND FOR  
TRIAL BY JURY**

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**COUNSELORS:**

**PLEASE TAKE NOTICE**, with respect to this action, and pursuant to CPLR §4102(a), the undersigned demands a trial by a jury composed of six (6) persons and a number of alternates to be determined by the Court.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X  
TREVOR C. NOAH,

Index No.: 805381/2021

Plaintiff,

-against-

**DEMAND FOR  
PHOTOGRAPHS, VIDEO  
AND AUDIOTAPES**

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

**COUNSELORS:**

**PLEASE TAKE NOTICE** that, pursuant to the applicable rules of the CPLR, demand is hereby made upon you to furnish to the undersigned, within twenty (20) days of receipt of this Demand, the following:

- (1) Color copies of any and all photographs and/or video depicting injuries, conditions or deficits allegedly sustained by plaintiff as a result of defendant's conduct in this action.
- (2) Any and all audio cassettes and/or CD's depicting any conversations pertaining to plaintiff's treatment, condition and/or injuries.

**PLEASE TAKE FURTHER NOTICE** that, failure to comply with this demand will serve as a basis for a motion to preclude the plaintiff, upon a trial of this action, from adducing evidence in support of plaintiff's claims herein.

**PLEASE TAKE FURTHER NOTICE** that, black and white Xerox copies of photographs will not be considered as compliance with this demand.

**PLEASE TAKE FURTHER NOTICE** that, this is an ongoing demand.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Plaintiff,

- against -

RILEY J. WILLIAMS III, M.D. and HOSPITAL  
FOR SPECIAL SURGERY,

Defendants.

-----X

Index No.: 805381/2021

**NOTICE TO PRODUCE  
RECORDS PURSUANT  
TO CPLR §3120**

**PLEASE TAKE NOTICE** that, we request that on February 7, 2022, at 10:00 a.m., you produce at our office:

1. Pursuant to CPLR §3120, a copy of the medical records, imaging studies, text messages, e-mails, and reports plaintiff and plaintiff’s counsel have in their possession, custody, or control relating to the medical care/treatment of plaintiff.
2. Pursuant to CPLR §3120, a copy of the financial, employment, receipts, and invoices plaintiff and plaintiff’s counsel have in their possession, custody, or control relating to plaintiff’s claims for economic damages.

**PLEASE TAKE FURTHER NOTICE** that the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff’s counsel, will be deemed the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff’s claims herein.

In lieu of a personal appearance to produce the requested materials, it will be acceptable that they be mailed to us provided that they are received no later than February 7, 2022.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300

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

-----X

TREVOR C. NOAH,

Plaintiff,

-against-

RILEY J. WILLIAMS III, M.D. and HOSPITAL FOR  
SPECIAL SURGERY,

Defendants.

-----X

COUNSELORS:

Index No.: 805381/2021

**DEMAND FOR SOCIAL  
NETWORKING  
INFORMATION**

PLEASE TAKE NOTICE that, pursuant to CPLR §3120, and based on the principals and standards set forth in CPLR §3101, you are hereby required to produce for discovery and inspection at the office of the undersigned, within thirty (30) days from the date of service of this notice upon you, the following:

1. A list of every social media site that plaintiff is currently member(s) of or was previously a member of or belonged to from one year prior to the claimed injury in this matter up to and including the current date (this includes, but is not limited to: Facebook, Twitter, Instagram, TikTok, LinkedIn, etc., that reference, pertain to, contradict, and/or contrast plaintiff’s alleged injuries or claims;
2. Copies of any screen shots of: wall postings; blog entries or posts; “tweets;” status updates; on the social websites identified in paragraph “1” that contain any posting/communication/statement/declaration/etc. that are reasonably calculated to result in discoverable evidence;
3. A list of all email addresses used or created by or for plaintiff to present;
4. Copies of all email communications sent or received by plaintiff to present that constitute statements against interest or party statements, that are reasonably calculated to lead to discoverable evidence;

PLEASE TAKE NOTICE that, CPLR §3101(a) provides that there shall be full disclosure of all matter “material and necessary in the prosecution or defense of any action

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regardless of the burden of proof.” Parties are entitled to materials that tend to prove or disprove the condition or care at issue, subject to reasonable cost. Should you deem the costs of production are unreasonable, you must provide an authorization so we may obtain the materials directly.

PLEASE TAKE NOTICE that, production of this material must be provided for every name established by or for plaintiff. This includes any account created or set up in plaintiff’s legal name, alias, or fictitious name (e.g., including but not limited to, a “handle,” “avatar,” “screen name,” “user name,” and/or “log-in name”).

PLEASE TAKE NOTICE that, the foregoing demand is a continuing demand, and that any failure to comply fully and completely with this demand at present, or in a timely fashion throughout the duration of this litigation as responsive information subsequently becomes known or available to plaintiff and/or plaintiff’s counsel, will serve as the basis for a motion to preclude plaintiff from adducing evidence at trial in support of plaintiff’s claims herein or a charge of spoliation to the jury.

PLEASE TAKE NOTICE that, all authorizations for release of medical records must be in proper format and be in full compliance with the Health Insurance Portability and Accountability Act (HIPAA), and should indicate that the authorizations will not expire until after resolution of this matter.

PLEASE TAKE NOTICE that, this demand does not call for the production of privileged materials, materials prepared in anticipation of this litigation with plaintiff’s attorney, or communications between plaintiff’s attorney

PLEASE TAKE NOTICE that, defendant RILEY J. WILLIAMS III, M.D. is entitled to this material as a matter of law and it must be produced at plaintiff’s expense. Any

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materials that require extensive copying or production costs will be apportioned proportionally according to judicial determination.

Dated: White Plains, New York  
January 6, 2022

Yours, etc.

HEIDELL, PITTONI, MURPHY & BACH, LLP  
81 Main Street  
White Plains, New York 10601  
(914) 559-3100

Attorneys for Defendant  
RILEY J. WILLIAMS III, M.D.

TO: JUSTIN BLITZ, ESQ.  
SHULMAN BLITZ, LLP  
Attorneys for Plaintiff  
747 Third Avenue, 23<sup>rd</sup> Floor  
New York, New York 10017  
(212) 871-1300