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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

Howard Adelman and Judith  
Sclawy-Adelman,  
as Co-Personal Representatives of  
The Estate of Michael Sclawy-Adelman,

Plaintiffs,

vs.

CASE NO: 1:10-CV-22236-ASG  
District Ct. Judge: ALAN S. GOLD

Boy Scouts of America, a Foreign  
Corporation;  
The South Florida Council Inc.,  
Boy Scouts of America;  
Plantation United Methodist Church;  
Howard K. Crompton, individually; and  
Andrew L. Schmidt, individually,

Defendants.

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**NOTICE OF JOINT COMPLIANCE WITH S.D. RULE 16.1(B)]**  
**&**  
**COURT ORDER**

The parties having met and conferred on August 6, 2010 as instructed by the Court Order Requiring Compliance dated July 27, 2010, now submit their Joint Compliance with the Court Scheduling Order and with S.D. Rule 16.1(B) as follows:

- a Attached as Appendix I and II are the completed Joint Scheduling Report and Consent to Magistrate Jurisdiction Form.
- b The parties believe that the case should be designated under the Complex Track due to the serious nature of the claim, the issues presented, and the number of parties involved.
- c A jury trial was demanded by all parties.
- d This is a wrongful death claim brought by the parents for the death of their son while hiking with members of his scout troop in the Big Cypress Preserve on May

9, 2009. The defendants are:

The Boy Scouts America - The national scouting organization -  
The South Florida Council, Inc., BSA - A local scouting organization.  
Plantation United Methodist Church - The chartering organization for  
plaintiff's troop.  
Howard Crompton and Andrew Schmidt - The plaintiff's adult hike leaders.

The Plaintiffs state that they will be seeking monetary damages for the death of their child. The Plaintiffs state that the non-economic damages are not amenable to calculation. The economic damages consist of medical expenses, funeral expenses, loss of support and services, and where allowed by law, loss of earnings. Said economic damages have not been determined at this time.

There are no counter-claims, cross claims, or third party claims.

e As of this point, the uncontested facts are that decedent Michael Sclawy-Adelman died on May 9, 2009 while hiking in the Big Cypress Preserve with two other youth members and two adult members of his scout troop. The parties anticipate stipulating to the medical and funeral expenses incurred by the family, once the Defendants are provided with that documentation.

f The significant issues to be determined are:

The cause of the death.  
Any negligence by the Defendants.  
Any comparative negligence by the Plaintiffs or decedent.  
Any agency relationship between defendants such that one defendant is vicariously liable for the actions of a co-defendant.  
Amount of plaintiffs' damages

g None, Plaintiffs have withdrawn their Motion to Remand.

h Both plaintiffs and defendants served initial discovery and they have stipulated that all responses are due by September 10, 2010.

i Questions and issues for the Court include:

Motions for Summary Judgment to be filed by defendants directed to plaintiffs' agency allegations.

j The currently set hearing for October 1, 2010 on plaintiffs' Motion to Remand is to be cancelled. Further, in the event that the parties raise discovery objections or that the parties experience discovery delays, the parties propose that a status

conference be held before Magistrate McAliley on December 15, 2010.

- k The issues to be brought before the Magistrate are discussed in Section “j” above.  
l As to the potential of an early settlement, the parties believe that due to the nature of the loss and other factors that initial discovery will be required for each side to properly evaluate their case. As such, there have been no demands or offers.
- m No
- n As the result of the parties’ early service of Interrogatories and Request for Production of documents, and the detailed deadlines proposed in Appendix I and Appendix II, the parties believe that the separate disclosures under Fed. R. Civ. P. (26)(a)(1-4) are unnecessary in this case.
- o. No additional factors are now known by the parties.

Respectfully submitted on this 26 of August, 2010 by the following:

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