

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Plaintiff,

-against-

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, SGT FREDERICK SAWYER, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown)(collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE # 1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown),

Defendants.

-----X

Docket No.  
10CV6005 (RWS)

RESPONSE TO PLAINTIFF'S  
FIRST REQUEST FOR  
DOCUMENTS ON BEHALF  
OF DEFENDANT  
ISAK ISAKOV, M.D.

Defendant ISAK ISAKOV, M.D., by his attorney's IVONE, DEVINE & JENSEN, LLP, has and for a response to the plaintiff's first request of documents, hereinafter respectfully alleges:

1Q. Incident Reports: All documents prepared by defendant Isak Isakov, M.D., that refer or relate to Adrian Schoolcraft and/or the incident which is the subject of this lawsuit.

1A. Other than entries made by Isak Isakov, M.D., and the record of Jamaica Hospital Medical Center there is no document prepared that refers or relates to Adrian Schoolcraft and/or any incident which is the subject of this law suit.

2Q. Curriculum Vitae: The current Curriculum Vitae for defendant Isak Isakov, M.D.

2A. The current curriculum vitea of defendant Isak Isakov, M.D., is attached.

3Q. Written Publications: Any written publications authored, or co-authored, by defendant Isak Isakov, M.D., that refer or relate to: i) involuntary confinement of a patient; and/or ii) Mental Hygiene Law § 9.39(a).

3A. None.

4Q. Training Materials/Written Guidelines: Any training materials and/or written guidelines given by JHMC to defendant Isak Isakov, M.D., that refer or relate to: i) involuntary confinement of a patient; and/or ii) Mental hygiene Law § 9.39(a).

4A. The form filled out by the defendant Dr. Bernier on the front and Dr. Isakov on the back referred to the provisions of Mental Hygiene Law § 9.39(a).

5Q. OPMC Records: Any complaints and/or investigations by the New York State Office Professional Medical Conduct that refer or relate to defendant Isak Isakov, M.D.

5A. None.

6Q. Employment File for Isak Isakov, M.D.: The complete JHMC employment file of defendant Isak Isakov, M.D., including but not limited to, any personnel records, evaluations, disciplinary actions, confidential performance profiles, and civilian complaints.

6A. The employment file of Jamaica Hospital Medical Center of the defendant Isak Isakov, M.D., is not in his possession.

7Q. Communications with the NYPD/FDNY: All records of any communications between defendant Isak Isakov, M.D., and any members of the NYPD and/or FDNY regarding Adrian Schoolcraft, from the time of plaintiff's admission into JHMC on October 31, 2009 until his discharge from JHMC on November 5, 2009.

7A. None.

8Q. Communications with Larry Schoolcraft: All records of any communications between defendant Isak Isakov, M.D., and Larry Schoolcraft, from the time of plaintiff's admission into JHMC on October 31, 2009 until his discharge from JHMC on November 5, 2009.

8A. No records of communications between Isak Isakov, M.D., and Larry Schoolcraft regarding Adrian Schoolcraft are in his possession other than entries made in the Jamaica Hospital Medical Center record, copy of which is attached.

9Q. Insurance Coverage: Copies of any and all professional liability insurance policies for defendant Isak Isakov, M.D.

9A. Copy of the declaration sheet of the liability insurance policy for Isak Isakov, M.D., is attached.

10Q. Expert Reports: Reports from any and all expert witnesses whom defendant Isak Isakov, M.D., intends to call in the trial of this action, stating in reasonable detail:

- a. The subject matter on which each expert is expected to testify;
- b. The substance of the facts and opinions on which each expert is expected to testify;
- c. The qualifications of each expert witness;
- d. A summary of the grounds for each expert's opinion;
- e. A list of all other cases in which the witness has testified in the last four years; and
- f. A statement of the compensation to be paid to the expert witness.

10A. An expert has not been retained with regard to this case by or on behalf of Isak Isakov, M.D., therefore there are no records at this time.

11Q. Documents Identified in Interrogatories: All documents identified by defendants in the preceding interrogatories.

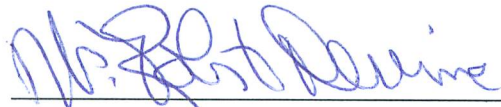
11A. The hospital records of Jamaica Hospital Medical Center are attached.

12Q. Documents Relied Upon in Answering Interrogatories: All documents relied upon by defendants in answering the preceding interrogatories.

12A. Isak Isakov, M.D., relied upon the record of Jamaica Hospital Medical Center, which is attached.

Dated: Lake Success, New York  
June 17, 2011

Yours, etc.,



WILLIAM ROBERT DEVINE (7415)  
IVONE, DEVINE & JENSEN, LLP  
Attorneys for Defendant  
ISAK ISAKOV, M.D.  
2001 Marcus Avenue, Suite N100  
Lake Success, New York 11042  
(516) 326-2400

To:

JON L. NORINSBERG  
Attorney for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007

COHEN & FITCH, LLP  
Attorneys for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007

MARTIN, CLEARWATER & BELL, LLP

Attorneys for Jamaica Hospital

220 East 42<sup>nd</sup> Street

13<sup>th</sup> Floor

New York, New York 10017

CALLAN, KOSTER, BRADY & BRENNAN, LLP

Attorneys for Defendant

DR. LILLIAN ALDANA-BERNIER

1 Whitehall Street

New York, New York 10004-2140

**Isak Isakov's Curriculum Vitae**

**PROVIDED IN MAILED COPY OF RESPONSE TO  
PLAINTIFF'S FIRST REQUEST FOR DOCUMENTS  
ON BEHALF OF ISAK ISAKOV, M.D.**

**OMITTED FOR ELECTRONIC FILING BECAUSE OF  
Fed.R.Civ.Proc 5.2.**

**NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA.**  
**2704 Commerce Drive, Suite B., Harrisburg, PA 17110**  
**ADMINISTRATIVE OFFICES: 70 Pine Street, New York, NY 10270**  
 (A Capital Stock Insurance Company)

**PSYCHIATRISTS PROFESSIONAL LIABILITY INSURANCE POLICY**  
**OCCURRENCE DECLARATIONS**

Policy Number: GP-PSC07-000354195      Producer: PRMS  
 Renewal of: GP-PSC06-000354195      Address:  
 Member Number: 600045      1515 Wilson Blvd., Suite 800 Arlington, Virginia 22209-2402

Item 1. **First Named Insured and Mailing Address:**      Item 2. **Policy Period:**  
 Jamaica Psychiatric Services      From 12:01 a.m. July 01, 2009  
 8900 Van Wyck Expressway      To 12:01 a.m. July 01, 2010  
 Jamaica, NY 11418      Local time at the address shown in item 1.

Item 3. **Named Insureds:**  
       Section II A.      Refer to Form #79522  
       Section II B.

Item 4. **Limits of Liability**

	<u>Each Medical Incident</u>	<u>Each Policy Period</u>
(i) Section II A.	\$1,300,000.00	\$3,900,000.00
Section II B.		
	subject to:	
(ii) Sexual Misconduct Sublimit of	<u>N/A</u>	Each Medical Incident
(iii) Professional Office Premises	<u>Refer to endorsement #79518</u>	Per Accident
	<u>Refer to endorsement #79518</u>	Each Policy Period

Item 5. **Endorsements attached at issuance:** 69898(Ed. 09/2006);79492(Ed. 06/2002);79494(Ed. 04/2002);79496(Ed. 04/2002);79498(Ed. 04/2002);79504(Ed. 04/2002);79510(Ed. 07/2004);79511(Ed. 04/2002);79518(Ed. 04/2002);79522(Ed. 04/2002);79526(Ed. 04/2002);79528(Ed. 04/2002);79530(Ed. 04/2002);89644(Ed. 07/2005);91222(Ed. 07/2006);96557(Ed. 02/2008);

Item 6. **Annual Premium**



*Mark Tracy*  
AUTHORIZED REPRESENTATIVE

Issued: 09/09/2009

ENDORSEMENT #0

This endorsement, effective July 01, 2009 forms a part of

Policy no.: GP - PSC07 - 000354195

Issued to: Jamaica Psychiatric Services

By: National Union Fire Company of Pittsburgh, PA

NAMED INSURED SCHEDULE

OCCURRENCE

Item 3. Named Insureds

Item 2. Effective Date

NAME S OF OTHER INSURED  
REFERRED

Isak Isakov, MD

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NAMES OF OTHER INSURED  
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07/01/2009

Section II.B.

All other terms, conditions and exclusions remain unchanged.



AUTHORIZED REPRESENTATIVE OR COUNTERSIGNATURE  
(IN STATES WHERE REQUIRED)

JAMAICA HOSPITAL MEDICAL CENTER RECORDS

PROVIDED IN MAILED COPY OF RESPONSE TO  
PLAINTIFF'S FIRST REQUEST FOR DOCUMENTS  
ON BEHALF OF ISAK ISAKOV, M.D.

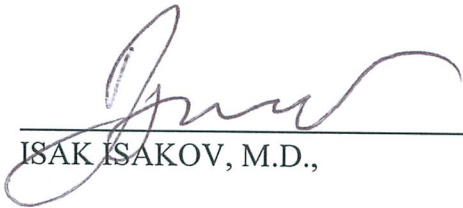
OMITTED FOR ELECTRONIC FILING BECAUSE OF  
PATIENT CONFIDENTIALITY.

**INDIVIDUAL VERIFICATION**

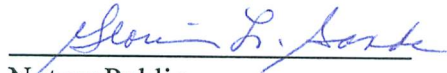
STATE OF NEW YORK)  
  ) ss.:  
COUNTY OF NASSAU )

ISAK ISAKOV, M.D., being duly sworn, states as follows:

I am a defendant in the action of ADRIAN SCHOOLCRAFT V. THE CITY OF NEW YORK, et al., have read the annexed RESPONSE TO PLAINTIFF’S FIRST REQUEST FOR DOCUMENTS ON BEHALF OF DEFENDANT ISAK ISAKOV, M.D., and know the contents therein to be true to my own knowledge, with the exception of those matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.

  
\_\_\_\_\_  
ISAK ISAKOV, M.D.,

Sworn to before me this  
*22* day of June 2011

  
\_\_\_\_\_  
Notary Public

**GLORIA L. SANDS**  
Notary Public, State of NY  
No. 01SA4854128  
Qualified in Queens County  
Comm. Expires March 3, 2014

**AFFIDAVIT OF SERVICE BY MAIL**

STATE OF NEW YORK)  
  ) ss.:  
COUNTY OF NASSAU)

NINA ARCESE, being duly sworn, deposes and says that deponent is not a party to the action and is over the age of 18 years.

That on June 22, 2011, deponent served the within **RESPONSE TO PLAINTIFF'S FIRST REQUEST FOR DOCUMENTS ON BEHALF OF DEFENDANT ISAK ISAKOV, M.D.**, upon:

JON L. NORINSBERG  
Attorney for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007

COHEN & FITCH, LLP  
Attorneys for Plaintiff  
225 Broadway, Suite 2700  
New York, New York 10007

MARTIN, CLEARWATER & BELL, LLP  
Attorneys for Jamaica Hospital  
220 East 42<sup>nd</sup> Street  
13<sup>th</sup> Floor  
New York, New York 10017

CALLAN, KOSTER, BRADY & BRENNAN, LLP  
Attorneys for Defendant  
DR. LILLIAN ALDANA-BERNIER  
1 Whitehall Street  
New York, New York 10004-2140

those being the addresses designated by said attorneys for that purpose, by depositing a true copy of same enclosed in a postpaid properly addressed wrapper in an official

depository under the exclusive care and custody of the United States Post Office Department.

Nina Arcese  
Nina Arcese

Sworn to before me on  
the 22 day of June 2011

Gloria L. Sands  
Notary Public

GLORIA L. SANDS  
Notary Public, State of NY  
No. 01SA4854128  
Qualified In Queens County  
Comm. Expires March 3, 2014