

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Indira Kairam, M.D.,

Plaintiff,

-against-

West Side GI, LLC,

Defendant.

USDC SDNY
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DATE FILED: 6/26/2023

1:18-cv-01005 (AT) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Following a telephone conference with the parties today regarding the discovery disputes set forth in the parties' letters filed at ECF Nos. 342 and 343, and for the reasons stated on the record, it is hereby Ordered as follows:

1. Defendants shall commence a rolling production of documents no later than Friday, June 30, 2023.
2. Defendants' request for an adjournment of deadlines set forth in the Scheduling Order (see ECF No. 343 at p. 2) is granted as follows:
 - a. The deadline for the substantial completion of document discovery is adjourned from May 31, 2023 to July 20, 2023.
 - b. The deadline for the completion of fact discovery is adjourned from October 13, 2023 to December 1, 2023.
 - c. The deadline for service of affirmative expert reports is adjourned from November 15, 2023 to January 10, 2024.
 - d. The deadline for service of rebuttal expert reports is adjourned from December 15, 2023 to February 9, 2024.

- e. The deadline for the completion of expert discovery is adjourned from January 15, 2024 to March 11, 2024.
3. No further extensions of the deadlines set forth in paragraph 2 shall be granted absent exigent circumstances and then only for a limited purpose.
4. Plaintiff's request for a date certain for Defendants to supplement their initial disclosures (see ECF No. 342 at p.3) is granted. Defendants shall do so no later than July 26, 2023.
5. Defendants shall produce documents concerning doctors who joined WSGI in 2013 (see ECF No. 342 at 3) for the time period beginning with the contact with the prospective member though the date the doctor joined WSGI or, if negotiations continued thereafter, the end of negotiations with that doctor.
6. Plaintiff's request that Defendants produce the WSGI Medical Director's letters to doctors concerning doctors' performance and associated documents (see ECF No. 342 at 3) is granted.
7. Defendants shall collect ESI from Dr. DeLopez and Dr. Lu and, no later than Monday, July 3, 2023, shall either (a) agree to provide Plaintiff with a hit count for the agreed-upon search terms by July 10, 2023, or (b) or show cause why the Court should not require them to do so.
8. No later than Monday, July 3, 2023, the parties shall file a joint letter indicating whether they would like to participate in a settlement conference (in which case, they shall provide proposed dates) or would like to be referred to mediation.

9. The parties shall file another joint letter regarding the status of discovery on August 10, 2023.

SO ORDERED.

Dated: New York, New York
June 26, 2023



STEWART D. AARON
United States Magistrate Judge