

Richard J. Williams, Jr., Esq. (Atty ID 021451996)
McElroy, Deutsch, Mulvaney & Carpenter, LLP
1300 Mt. Kemble Avenue
P.O. Box 2075
Morristown, New Jersey 07962-2075
Tel: (973) 993-8100
Fax: (973) 425-0161
rwilliams@mdmc-law.com
Attorneys for Defendants, HealthPlus Surgery Center, LLC, and Yan Moshe

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RACHELLE L. HARZ
J.S.C.

Keith J. Roberts, Esq. (Attorney I.D. #043681993)
Brach Eichler LLC
101 Eisenhower Parkway
Roseland, New Jersey 07068
Tel: (973) 228-5700
Fax: (973) 618-5585
kroberts@bracheichler.com
Attorneys for Defendants, HealthPlus Surgery Center, LLC, and Yan Moshe

IN RE HEALTHPLUS SURGERY CENTER
LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
CASE NO.: 632
MASTER DOCKET NO.: BER-L-7092-20

Civil Action

SCHEDULING ORDER

THIS MATTER having come before the Court by way of a joint telephone status conference with lead Plaintiffs' counsel, Philip Federico, counsel for Defendant, HealthPlus Surgery Center, LLC, Richard J. Williams, Jr. and Keith Roberts, along with the Honorable Mark Falk, U.S.M.J., who is case managing three consolidated class action law suits filed against HealthPlus Surgery Center (Civil Action Nos. 2:19-cv-00964, 2:19-cv-00965, 2:19-cv-005906 (WJM)) (hereinafter "HealthPlus Class Action"), which conference followed circulation of a proposed discovery schedule among all counsel and review of the proposed schedule by the Honorable Mark Falk, U.S.M.J. and the Honorable Rachelle L. Harz, J.S.C. with which both Courts concur, and in the interest of coordinating combined discovery in the HealthPlus Class Action and the above-captioned Multi-County Litigation and good cause appearing,

IT IS HEREBY ORDERED that discovery shall be completed in accordance with the following schedule:

I. Phase One – Pre-Mediation Discovery

1. May 7, 2021 – Parties may exchange limited requests for documents and interrogatories, limited to 12 interrogatories (submission of initial pre-mediation interrogatories is without prejudice to any party’s right to full discovery in the event the case does not settle).
 - a. Defendants may submit interrogatories or fact sheets limited to 12 items to 25 of the named plaintiffs (combined between the HealthPlus Class Action and the HealthPlus MCL)
 - b. Plaintiffs in the currently pending HealthPlus MCL shall provide executed medical authorizations from each Plaintiff authorizing the release of records from HealthPlus Surgery Center to the co-defendants.
2. June 4, 2021 – All parties must respond to initial pre-mediation discovery demands
3. July 2, 2021 – Plaintiff to serve preliminary expert reports
4. Mediation July 26, 2021 and July 27, 2021 with Hon. Peter Doyne

II. Phase Two – Post-Mediation Discovery in the event case does not settle

1. E-Discovery conference pursuant to L.Civ.R. 26.1(d): August 13, 2021.
2. Service of initial written discovery: August 27, 2021.
3. Maximum of 30 Interrogatories for each party to each other party.
4. Motions to amend or add parties to be filed by: December 15, 2021.
5. Factual discovery to be completed by: May 15, 2022.
6. Plaintiff’s expert reports due on: TBD.
7. Defendants’ expert reports due on: TBD.
8. Expert depositions to be completed by: TBD.
9. Class certification motions to be filed by: TBD.
10. Dispositive motions to be filed by: TBD.

IT IS HEREBY FURTHER ORDERED that a telephone status conference shall be conducted on August 3, 2021, at 9:30 a.m. (counsel for HealthPlus shall circulate a conf. call number three days before the scheduled conference).


Rachelle L. Harz, J.S.C.