

FILED

FEB 04 2022

RACHELLE L. HARZ  
J.S.C.

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*

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 at 9:30a.m. on December 13, 2021, by way of a joint video status conference with counsel to all parties named in the above-referenced Multicounty Litigation and the Honorable James B. Clark, III, U.S.M.J., who is case managing three consolidated putative class action lawsuits filed against HealthPlus Surgery Center, LLC, and other named Defendants in the United States District Court for the District of New Jersey (Civil Action Nos. 2:19-cv-964, 2:19-cv-965, 2:19-cv-5906 (WJM)) (the “Federal Actions”), and in the interest of continuing combined coordination of all discovery in the Federal Actions and the above-captioned Multicounty Litigation, and for good cause having been shown;

**IT IS HEREBY ORDERED** that discovery in the Federal Actions and the Multicounty

Litigation shall be completed in accordance with the following schedule:

1. March 15, 2022:
  - a. All parties may serve discovery deficiency letters, if necessary, in respect of the pre-mediation answers to interrogatories and/or document productions of any other party;
  - b. All parties may serve a maximum of 30 additional interrogatories on any other party;
  - c. All parties may serve additional requests for production of documents on any other party;
2. April 29, 2022:
  - a. All parties must serve responses to any and all discovery deficiency letters received from any other party;
  - b. All parties must serve responses to any additional interrogatories and/or requests for production of documents received from any other party;
3. May 2, 2022: Deadline for Plaintiffs presently grouped together in eight complaints to file individual short form complaints. As previously ordered, each Plaintiff, pursuant to MCL rules, must have their own individual complaint and separate docket number.
4. June 10, 2022: Deadline for the parties to file motions to amend their pleadings and/or add additional parties, with any such motions returnable on July 5, 2022.
5. September 15, 2022: Deadline to complete all fact discovery, party depositions, and fact-witness depositions;
6. October 31, 2022: Plaintiffs' expert reports due;
7. December 15, 2022: Defendants' expert reports due;
8. January 30, 2023: Expert depositions must be complete;
9. March 15, 2023:
  - a. Deadline to file dispositive motions;
  - b. Deadline to file class certification motions.
10. All pre-mediation discovery shall be served upon all parties by each responding party within 20 days.

**IT IS HEREBY FURTHER ORDERED** that a telephonic status conference shall be conducted on May 2, 2022 at 1:00pm. A zoom link will be circulated from the chambers of Judge Clark.



Hon. Rachelle L. Harz, J.S.C.

Feb 4, 2022