

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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TAMARA VANDERHYDEN,

Plaintiff,

- against -

Index No.: 116033/07

MS#001

NOTICE OF MOTION

PLANNED PARENTHOOD OF NEW YORK CITY,
BETH ISRAEL MEDICAL CENTER,
GERALD ZUPNICK, M.D., MAUREEN PAUL, M.D.,
ZOE RODRIGUEZ, M.D., and
JACQUELINE BROWN, M.D.

Defendants.

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C O U N S E L O R S :

PLEASE TAKE NOTICE, that upon the annexed affirmation of Richard J. Katz, dated May 14, 2009, and upon all of the prior pleadings and proceedings heretofore had herein, the undersigned will Move this Court at the Office for Motion Support, Room 130, of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse located at 60 Centre Street, New York, New York 10007, on the 22nd day of June 2009, at 9:30 o'clock in the forenoon of that day, for an Order: 1) striking the answers of the defendant, Beth Israel Medical Center, pursuant to CPLR § 3124, for willful and contumacious failure of the defendant to produce Marguerite Gonzalez, MD at a Court ordered deposition; or in the alternative, 2) precluding the defendant, Beth Israel Medical Center, from submitting testimony at trial unless they appear for a deposition by a date certain; and 3) for such other relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR § 2214(b), answering affidavits, if any, are to be served upon the undersigned at least seven (7) days before the return date of this motion.

Dated: New York, New York
May 14, 2009

Yours, etc.,

RICHARD J. KATZ, LLP

By:


RICHARD J. KATZ

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To:

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