



Register of Action

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 92-018334-NH JUDGE FREEMAN FILE 11/24/92 ADJ DT 10/12/94 CLOSE 12/09/94  
 GENESEE COUNTY SCAO LINE 70

P 001 LIPFORD,JODI, VS D 001 ST. JOSEPH HOSPITAL CORP.,  
 NXF-MICHAEL LEELIPFORD,,  
 ATY:COX,KEVIN J., ATY:FAILER,MARVIN L  
 P-36925 313-224-5531 P-13269 856-258-4615  
 DISPOSITION 10/12/94 SET DISPOSITION 09/27/94 DIS  
 SERVICE/ANS 12/11/92 ROS

D 002 HURLEY MEDICAL CENTER,,  
 ATY:ROTH,ROBERT P.,  
 P-27238 248-647-4242  
 DISPOSITION 10/12/94 SET  
 SERVICE/ANS 12/11/92 ROS

D 003 IMBODY,DR. B.,  
 ATY:ROTH,ROBERT P.,  
 P-27238 248-647-4242  
 DISPOSITION 10/12/94 SET  
 SERVICE/ANS 12/11/92 ROS

D 004 HEBERT,DR. J.,  
 ATY:ROTH,ROBERT P.,  
 P-27238 248-647-4242  
 DISPOSITION 10/12/94 SET  
 SERVICE/ANS 12/11/92 ROS

IP001 FISHER,CHARLES,W.  
 ATY:FISHER,CHARLES 05/11/94  
 P-30213 313-965-7521  
 DISPOSITION 10/12/94 SET

IP002 SHIMMEL,THOMAS,R.  
 ATY:SHIMMEL,THOMAS 05/11/94

P-41280 313-965-7900

DISPOSITION 10/12/94 SET

## Actions, Judgments, Case Notes

Num	Date	Judge	Chg/Pty	Event Description/Comments
1	11/24/92	WASHINGTON		SUMMONS AND COMPLAINT FILED RECEIPT# 00099999 AMT \$42.00
2				RECEIPT# 00099999 AMT \$30.00 DEMAND FOR JURY TRIAL FILED
3	12/11/92	FREEMAN	D 004	RETURN OF SERVICE
4		WASHINGTON	D 001	RETURN OF SERVICE BY CERTIFIED MAIL (COPY OF GREEN CARD ATTACHED) FILED ON DEC 21, 1992
5			D 002	RETURN OF SERVICE BY CERTIFIED MAIL (COPY OF GREEN CARD ATTACHED) FILED ON DEC 21, 1992
6			D 003	RETURN OF SERVICE BY CERTIFIED MAIL (COPY OF GREEN CARD ATTACHED) FILED ON DEC 21, 1992
7	01/08/93			PROOF OF SERVICE FILED OF PLTF'S SUPPL. ANSWERS TO INTERROG. DATED 5-19-92 FROM DEFTS HURLEY MEDICAL CENTER, DR. R. IMBODY & DR. HEBERT AND PROOF OF SERVICE UPON MARVIN L. FAILER AND ROBERT P. ROTH ON 1-5-93 BY MAIL
8	01/19/93			SET NEXT DATE FOR: 02/08/93 2:00 PM MOTION HEARING HON. VALDEMAR L. WASHINGTON CIVIL
9				RECEIPT# 00099999 AMT \$10.00 CIVIL MOTION AND NOTICE OF HEARING FOR 2-8-93 AT 2:00 P.M. FILED MOTION TO DISMISS OR, IN THE ALTERNATIVE, TO REQUIRE FILING OF A MORE SPECIFIC COMPLAINT AND/OR A DEMAND FOR BILLS OF PARTICULARS FILED
10	01/25/93			PROOF OF SERVICE FILED OF PLAINTIFF'S RE-NOTICE OF TAKING DEPOSITION OF DR. ARANAS AND PROOF OF SERVICE UPON

	MARVIN L. FAILER AND ROBERT P. ROTH ON 1-18-93 BY MAIL	
11	02/02/93	PROOF OF SERVICE FILED ON ATTY M.FAILER(ANSW INTERRS)
12	02/09/93	FREEMAN RE-ASSIGNED WASHING TO FREEMAN
13		PROOF OF SERVICE FILED ON ATTYS FAILER,ROTH(NOTICE OF TAKING DEP)
14	02/16/93	PROOF OF SERVICE FILED ON ATTY M FAILER AND R.ROTH (NOTICE)
15	02/18/93	ORDER REQUIRING PLTF TO FILE A MORE SPECIFIC COMPLAINT FILED
16	03/01/93	PROOF OF SERVICE FILED ON ATTY MARVIN FAILER(AMENDED NOTICE)
17	03/05/93	PROOF OF SERVICE FILED ON ATTY OF RECORD/03-03-93 (PLTF'S NOTICE OF TAKING DEPOSITION OF DR KEVIN SCAMMEL)
18	03/11/93	PROOF OF SERVICE FILED 3-8-93 DEFTS ATTYS
19	03/15/93	PROOF OF SERVICE ON ATTYS OF RECORD/03-12-93
20	04/01/93	PROOF OF SERVICE ON ATTY OF RECORD/03-30-93(RE-NOTICE OF TAKING DEPOSITION)
21	04/26/93	PROOF OF SERVICE FILED ON ATTY OF RECORD/04-26-93 (COPY OF PLTF'S FIRST AMENDED COMPLAINT,DEMAND FOR JURY TRIA L AND AFF)
22	04/30/93	PLTF'S FIRST AMENDED COMPLAINT, DEMAND FOR JURY TRIAL, AND AFFIDAVIT OF MERITORIOUS CLAIM FILED
23		AFFIDAVIT OF MERITORIOUS CLAIM FILED
24	05/10/93	PROOF OF SERVICE FILED ON ATTYS OF RECORD/05-05-93 (PLTF'S RE-NOTICE OF TAKING DEPOSITION)
26	06/03/93	MOTION TO COMPEL ANSWERS TO INTERROGATORIES TO PLTF'S FILED
27		RECEIPT# 00099999 AMT \$10.00 SET NEXT DATE FOR: 06/14/93 10:30 AM

		MOTION HEARING CIVIL NOTICE OF HEARING PROOF OF SERVICE ON KEVIN COX AND ROBERT ROTH	
29	06/07/93	PROOF OF SERVICE FILED 6-2-93 DEFTS ATTYS	
28	06/08/93	POS 6-2-93 DEFT ATTYS PROOF OF SERVICE FILED 6-4-93 ON DEFTS ATTYS	
30	07/27/93	PROOF OF SERVICE FILED 7-21-93 DEFT ATTYS	
31	08/09/93	PROOF OF SERVICE FILED 8-5-93 DEFT ATTYS PLTF REPLY TO SPECIAL AND AFFIRMATIVE DEFENSES OF DEFT HURLEY MED CEN, DR. IMBODY AND DR. HEBERT	
32	08/13/93	PROOF OF SERVICE FILED 8/11/93 ON COUNSEL OF RECORD (PLTFS' NOTICE OF TAKING DEPOSITION) FILED	
33	08/23/93	PROOF OF SERVICE FILED 8-19-93 DEFT ATTYS	
34		PLTF REQUEST FOR ADMISSIONS TO DEFT HURLEY HOSP DATED 8-16-93 PLTF REQUEST FOR ADMISSIONS TO DEFT ST. JO'S HOSP DATED 8-16-93 POS 8-16-93 DEFT ATTYS	
35	08/26/93	PROOF OF SERVICE FILED 8-23-93 DEFTS ATTYS	
36	08/30/93	RECEIPT# 00000999 AMT \$10.00 SET NEXT DATE FOR: 09/13/93 10:30 AM MOTION HEARING MOTION FOR PARTIAL SUMM DISP AS TO CLAIM OF PLTF JODI LIPFORD INDIVIDUALLY	
37	09/01/93	NOTICE SENT FOR: 10/12/93 3:00 PM PRE-TRIAL HEARING	
38	09/10/93	MOTION TO COMPEL PRODUCTION OF DOCUMENTS REQUESTED BY PLTF ON JULY 21, 1993 FILED BRIEF IN SUPPORT OF MOTION TO COMPEL PRODUCTION OF DOCUMENTS FILED	
39		RECEIPT# 00099999 AMT \$10.00 SET NEXT DATE FOR: 09/20/93 10:30 AM MOTION HEARING	

		CIVIL NOTICE OF HEARING PROOF OF SERVICE ON ATTYS OF RECORD/09-09-93	
40	09/20/93	SET NEXT DATE FOR: 09/27/93 10:30 AM MOTION HEARING ADJ PER ATTY FROM 09-20-93	
41	09/21/93	NOTICE OF HEARING FOR 9-17-93 AT 1030 AM POS 9-15-93 ATTYS OF RECORD	
42	10/13/93	NOTICE SENT FOR: 07/07/94 8:30 AM JURY TRIAL	
43		FACILITATIVE MEDIATION (ADR)	
44	10/25/93	NOTICE SENT FOR: 07/15/94 8:30 AM JURY TRIAL	
45	12/28/93	PLTFS WITNESS LIST FILED	
46		PROOF OF SERVICE ON ATTYS OF RECORD/12-23-93	
47	01/28/94	SUPPLEMENTAL WITNESS LIST AND EXPERT WITNESS LIST FILED PROOF OF SERVICE ON ALL PARTIE S/01-26-94	
48	02/08/94	PROOF OF SERVICE FILED AND NOTICE TO APPEAR FOR MEDIATION ON 04-21-94 AT 4:30	
49	02/16/94	PROOF OF SERVICE FILED 2-14-94 DEFT ATTYS	
50	02/28/94	ANSWER TO FIRST AMENDED COMPLAINT, RELIANCE ON JURY DEMAND AND AFFIRMATIVE DEFENSE	
51	03/07/94	PLTFS REPLY TO AFFIRMATIVE DEFENSES AND OTHER MATTERS OF DEFT HOSPITAL FILED	
52		PROOF OF SERVICE FILED ON ATTYS OF RECORD/03-03-94	
53	03/15/94	PROOF OF SERVICE FILED 3-10-94 ATTYS OF RECORD	
54	04/22/94	PROOF OF SERVICE FILED 4-19-94 ATTYS OF RECORD	
55	04/26/94	PROOF OF SERVICE FILED 4-22-94 ATTYS OF RECORD	
56	05/11/94	APPEARANCE AND NOTICE OF CO- COUNSEL FOR ST JO'S HOSP AFF OF SERVICE 5-9-94 ATTYS OF RECORD	
57	05/13/94	NOTICE OF TAKING DEPO OF DR. DAVID HOLLANDER	
58	05/23/94	MEDIATION RETURNED- REJECTED	
59	05/25/94	MEDIATION EVALUATION	

60	AFFIDAVIT OF STEVEN GABEL POS 5-24-94 ATTYS OF RECORD PLTF MOTION TO LIMIT NUMBER OF EXPERT WITNESSES LISTED BY DEFT ST JOSEPH HOSP PLTF MOTION TO COMPEL DEFT AND EACH OF TEM TO PRODUCE EXPERT WITNESSES FOR DEPO	
61	RECEIPT# 00000999 AMT \$20.00 SET NEXT DATE FOR: 06/06/94 10:30 AM MOTION HEARING	
62 05/26/94	RECEIPT# 00000999 AMT \$20.00 MOTION TO COMPEL DEFT HURLEY HOSP AND ST JOS HOSP TO PRODUCE DOCUMENTS NOTICE OF HEARING 6-6-94, 10:30 AM POS 5-25-94 ATTYS OF RECORD	
63	PROOF OF SERVICE FILED 5-24-94 ATTYS OF RECORD	
64 05/27/94	RECEIPT# 00099999 AMT \$20.00 NOTICE OF HEARING AND MOTION FILED FOR 06-06-94 AT 10;30	
65	MOTION AND BRIEF BY DEFT ST. JOSEPH HOSPITAL TO REQUIRE DEPOSITIONS OF PLTF'S EXPERTS OR IN THE ALTERNATIVE, STRIKE PLTF'S EXPERTS WHOSE DEPOSITIO NS HAVE NOT BEEN TAKEN FILED BRIEF IN SUPPORT OF MOTION FILED	
66 05/31/94	PROOF OF SERVICE FILED 5-25-94 ALL PARTIES	
67 06/03/94	DEFT ST JOSEPH HOSP RESPONSE TO PLTF MOTIONS	
68 06/09/94	PROOF OF SERVICE FILED 6-7-94 ATTYS OF RECORD	
69 06/10/94	NOTICE OF ADDITIONAL WITNESSES AS TO DAMAGES AND REHABILITA TION	
70 06/13/94	NOTICE OF ENTRY 7-DAY ORDER POS 6-9-94	
71	NOTICE OF ENTRY 7-DAY ORDER POS 6-9-94	
72	NOTICE OF ENTRY 7-DAY ORDER POS 6-9-94	
73 06/14/94	AFFIDAVIT OF SERVICE 6-10-94 NOTICE OF TAKING DEPO DUCES TECUM OF RONALD S. GABRIAL,M.D	

		NOTICE TO PRODUCE DOCUMENTS	
74	06/15/94	OBJECTIONS FILED TO 7-DAY ORDER REGARDING DEPOSITIONS OF PARTIES EXPERT WITNESSES POS 6-15-94 ALL PARTIES	
75	06/16/94	PROOF OF SERVICE FILED 6-13-94 ATTYS OF RECORD	
76	06/21/94	NOTICE OF TAKING DEPOSITION DUCES TECUM OF WILLIAM MICHAEL S, M.D. NOTICE TO PRODUCE DOCUMENTS AND AFFIDAVIT OF SERVICE	
77		AFFIDAVIT OF SERVICE ON ATTYS OF RECORD/06-15-94	
78	06/22/94	MISCELLANEOUS ORDER REGARDING PLTF MOTION TO COMPEL DEFT ST JOSEPH HOSP TO PRODUCE DOCUMENTS REQUESTED BY PLTF ON APRIL 22,1994	
79	06/24/94	PROOF OF SERVICE FILED 6-23-94 ALL PARTIES	
80		AFFIDAVIT IN SUPPORT	
81		PLTF MOTION TO STRIKE DEFT,ST JOSEPH HOSP NOTICE OF ADDITIONAL WITNESSES AS TO DAMAGES AND REHABILITATION	
82		MOTION FILED RECEIPT# 00000999 AMT \$20.00 SET NEXT DATE FOR: 07/05/94 10:30 AM MOTION HEARING	
83		MOTION FILED RECEIPT# 00000999 AMT \$20.00 SET NEXT DATE FOR: 07/11/94 10:30 AM MOTION HEARING	
84		DAVIS-FRYE MOTION TO EXCLUDE EVIDENCE RELATIVE TO ALLEGED CLAIM	
85	06/28/94	PROOF OF SERVICE FILED 6-24-94 ATTYS OF RECORD	
86		NOTICE OF TAKING OF DEPOSITION DUCES TECUM OF DR. MICHAEL THOMSON NOTICE TO PRODUCE DOCUMENTS AFFIDAVIT OF SERVICE 6-24-94 ALL PARTIES	
87	06/30/94	MOTION FILED DEFTS MOTION TO STRIKE CLAIMS OF PLTFs, BRIEF IN SUPPORT OF MOTION, AFFIDAVIT IN SUPPORT	

		OF MOTION FILED	
88		PRAECIPE FOR MOTION FILED	
89		NOTICE RECEIPT# 00099999 AMT \$20.00 MOT TO STRIKE CLAIMS OF PLTF'S OF HEARING FOR 7-11-94 AT 10:30 AM FILED	
90		AFFIDAVIT FILED OF SERVICE ON ATTYS OF RECORD 6-27-94 FILED (MOT, BRIEF, AFF IN SUPP OF MOTION, NOTICE OF HRG, PRAECIPE)	
91		CERTIFICATE OF SERVICE ON ATTYS OF RECORD 6-28-94 FILED (DEFT HURLEY'S NTC OF TAKING DEP OF DR. MICHAELS)	
92		CERTIFICATE OF SERVICE ON ATTYS OF RECORD 6-28-94 FILED (DEFTS HURLEY'S NTC OF TAKE DEP OF DR. ANCELL)	
93	07/01/94	ORDER REGARDING PLTF'S MOTION TO COMPEL DEFT, HURLEY HOSP, TO PRODUCE DOCUMENTS REQUEST BY THE PLTF ON 04-19-94	
94		PLTF'S EMERGENCY MOTION TO STRIKE DEFT HURLEY EXPERT WITNESSES	
95		PROOF OF SERVICE 6-30-94	
96		AFFAVIDT STEVEN GABEL	
97		MOTION FILED RECEIPT# 00099999 AMT \$20.00 FOR JULY 5, 1994	
98	07/08/94	NOTICE OF ENTRY 7-DAY ORDER POS 7-7-94	
99	07/21/94	NOTICE SENT FOR: 09/27/94 8:30 AM JURY TRIAL	
100	07/25/94	ORDER COMPELLING EXPERTS' DISPOSITIONS FILED	
103	08/10/94	PROOF OF SERVICE FILED ON ATTYS OF RECORD/08-08-94 (PLTF'S NOTICE OF TAKING VIDEOTAPE DE BENNE ESSE DEPOSITION)	
104	09/16/94	PROOF OF SERVICE FILED 9-13-94 ATTYS OF RECORD	
105	09/27/94	D 001 MISCELLANEOUS ACTION BY JUDGE DISMISSED	
106		STIP AND ORDER OF DISMISSAL AS TO DEFT I, ST JOSEPH HOSP ONLY	



107	MISCELLANEOUS ORDER APPROVING SETTLEMENT AND DISTRIBUTION OF ATTY FEES, COSTS AND SETTLEMENT PROCEEDS AS TO DEFT 1, ST JOSEPH HOSP
108 10/04/94	JURY TRIAL WHOLE DAY JURY OF 8 DRAWN AND SWORN. OPENING STATEMENTS OF COUNSEL PROOFS AND ALLEGATIONS HEARD IN PART. JURY OF 8 EXCUSED UNTIL OCT 5, 1994 AT 8:30 AM.
109 10/05/94	JURY TRIAL WHOLE DAY JURY OF 8 RETURNED AND HEARD FURTHER PROOFS AND ALLEGATIONS IN PART. JURY EXCUSED UNTIL THUS OCT 6, 1994 AT 8:30 AM.
110 10/06/94	JURY TRIAL WHOLE DAY JURY OF 8 RETURNED AND HEARD FURTHER PROOF AND ALLEGATIONS IN PART. JURY EXCUSED UNTIL WEDNESDAY OCT 12, 1994 AT 8:30 AM.
111 10/12/94	999 JURY TRIAL HALF DAY SETTLED A SETTLEMENT OFFER WAS MADE BY DEFT HURLEY MED CENTER AND BY DEFT 3 AND 4. SETTLEMENT OFFER ACCEPTED BY PLTF. JURY OF 8 RETURNED AND COURT INFORMED JURY OF SETTLEMENT OFFER AND DISCHARGED JURY FROM FURTHER DELIBERATION.
112	PROOF OF SERVICE FILED 10-7-94 ATTYS OF RECORD
113 12/09/94	999 DOMESTIC/GENERAL CIVIL JUDGMENT ORD ER ORDER TO CLOSE CASE - CASE SETTLED IN OPEN COURT ..... END OF SUMMARY .....

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