

**Commonwealth of Massachusetts  
SUFFOLK SUPERIOR COURT  
Case Summary  
Civil Docket**

## Bejarano Jr, ppa v Goldberg MD et al

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Details for Docket: SUCV2003-04068

### Case Information

<b>Docket Number:</b>	SUCV2003-04068	<b>Caption:</b>	Bejarano Jr, ppa v Goldberg MD et al
<b>Filing Date:</b>	08/25/2003	<b>Case Status:</b>	Dismissed
<b>Status Date:</b>	03/02/2012	<b>Session:</b>	Civil D, 3 Pemberton Sq, Boston
<b>Lead Case:</b>	NA	<b>Case Type:</b>	Most

### Tracking Deadlines

<b>TRK:</b>	A	<b>Discovery:</b>	02/15/2006
<b>Service Date:</b>	11/23/2003	<b>Disposition:</b>	12/24/2006
<b>Rule 15:</b>	11/17/2004	<b>Rule 12/19/20:</b>	01/22/2004
<b>Final PTC:</b>	08/14/2006	<b>Rule 56:</b>	04/16/2006
<b>Answer Date:</b>	01/22/2004	<b>Jury Trial:</b>	YES

### Case Information

<b>Docket Number:</b>	SUCV2003-04068	<b>Caption:</b>	Bejarano Jr, ppa v Goldberg MD et al
<b>Filing Date:</b>	08/25/2003	<b>Case Status:</b>	Dismissed
<b>Status Date:</b>	03/02/2012	<b>Session:</b>	Civil D, 3 Pemberton Sq, Boston
<b>Lead Case:</b>	NA	<b>Case Type:</b>	Medical malpractice

### Tracking Deadlines

<b>TRK:</b>	A	<b>Discovery:</b>	02/15/2006
<b>Service Date:</b>	11/23/2003	<b>Disposition:</b>	12/24/2006
<b>Rule 15:</b>	11/17/2004	<b>Rule 12/19/20:</b>	01/22/2004
<b>Final PTC:</b>	08/14/2006	<b>Rule 56:</b>	04/16/2006
<b>Answer Date:</b>	01/22/2004	<b>Jury Trial:</b>	YES

## Parties Involved

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8 Parties Involved in Docket: SUCV2003-04068

<b>Party Involved:</b>		<b>Role:</b>	Defendant
<b>Last Name:</b>	Ashour MD	<b>First Name:</b>	
<b>Address:</b>		<b>Address:</b>	
<b>City:</b>		<b>State:</b>	

**Zip Code:**  
**Telephone:**

**Zip Ext:**

**Party Involved:**

**Role:** Defendant

**Last Name:** Burke RN

**First Name:** B

**Address:**

**Address:**

**City:**

**State:**

**Zip Code:**

**Zip Ext:**

**Telephone:**

**Party Involved:**

**Role:** Defendant

**Last Name:** Duggan RN

**First Name:** Jacqueline

**Address:**

**Address:**

**City:**

**State:**

**Zip Code:**

**Zip Ext:**

**Telephone:**

**Party Involved:**

**Role:** Defendant

**Last Name:** Goldberg MD

**First Name:** Alisa

**Address:**

**Address:**

**City:**

**State:**

**Zip Code:**

**Zip Ext:**

**Telephone:**

**Party Involved:**

**Role:** Defendant

**Last Name:** Miner MD

**First Name:** Julie

**Address:**

**Address:**

**City:**

**State:**

**Zip Code:**

**Zip Ext:**

**Telephone:**

**Party Involved:**

**Role:** Defendant/intervenor

**Last Name:** Conrolled Risk Ins Co of Vermont

**First Name:**

**Address:**

**Address:**

**City:**

**State:**

**Zip Code:**

**Zip Ext:**

**Telephone:**

<b>Party Involved:</b>		<b>Role:</b>	Defendant/intervenor
<b>Last Name:</b>	Controlled Risk Ins. Co.	<b>First Name:</b>	
<b>Address:</b>		<b>Address:</b>	
<b>City:</b>		<b>State:</b>	
<b>Zip Code:</b>		<b>Zip Ext:</b>	
<b>Telephone:</b>			

<b>Party Involved:</b>		<b>Role:</b>	Plaintiff
<b>Last Name:</b>	Bejarano Jr, ppa	<b>First Name:</b>	Jose
<b>Address:</b>		<b>Address:</b>	
<b>City:</b>		<b>State:</b>	
<b>Zip Code:</b>		<b>Zip Ext:</b>	
<b>Telephone:</b>			

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## Attorneys Involved

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20 Attorneys Involved for Docket: SUCV2003-04068

<b>Attorney Involved:</b>		<b>Firm Name:</b>	CROW05
<b>Last Name:</b>	Crowe Jr	<b>First Name:</b>	Philip J
<b>Address:</b>	141 Tremont Street	<b>Address:</b>	Suite 8
<b>City:</b>	Boston	<b>State:</b>	MA
<b>Zip Code:</b>	02111	<b>Zip Ext:</b>	
<b>Telephone:</b>	617-426-4488	<b>Tel Ext:</b>	
<b>Fascimile:</b>	617-426-5511	<b>Representing:</b>	Bejarano Jr, ppa, Jose (Plaintiff)

<b>Attorney Involved:</b>		<b>Firm Name:</b>	HUNT06
<b>Last Name:</b>	Faggiano	<b>First Name:</b>	John
<b>Address:</b>	83 Atlantic Avenue	<b>Address:</b>	
<b>City:</b>	Boston	<b>State:</b>	MA
<b>Zip Code:</b>	02110	<b>Zip Ext:</b>	
<b>Telephone:</b>	617-371-1440	<b>Tel Ext:</b>	
<b>Fascimile:</b>	617-371-1430	<b>Representing:</b>	Burke RN, B (Defendant)

<b>Attorney Involved:</b>		<b>Firm Name:</b>	HUNT06
<b>Last Name:</b>	Faggiano	<b>First Name:</b>	John

**Address:** 83 Atlantic Avenue  
**City:** Boston  
**Zip Code:** 02110  
**Telephone:** 617-371-1440  
**Fascimile:** 617-371-1430

**Attorney Involved:**

**Last Name:** Anderson  
**Address:** One Canal Park  
**City:** Cambridge  
**Zip Code:** 02141  
**Telephone:** 617-621-6500  
**Fascimile:** 617-621-6501

**Attorney Involved:**

**Last Name:** Faggiano  
**Address:** 83 Atlantic Avenue  
**City:** Boston  
**Zip Code:** 02110  
**Telephone:** 617-371-1440  
**Fascimile:** 617-371-1430

**Attorney Involved:**

**Last Name:** Wolfson  
**Address:** One Canal Park  
**City:** Cambridge  
**Zip Code:** 02141  
**Telephone:** 617-621-6500  
**Fascimile:** 617-621-6501

**Attorney Involved:**

**Last Name:** Hinchey  
**Address:** Three Center Plaza  
**City:** Boston  
**Zip Code:** 02108  
**Telephone:** 617-523-6010

**Address:**  
**State:** MA  
**Zip Ext:**  
**Tel Ext:**  
**Representing:** Miner MD, Julie (Defendant)

**Firm Name:** ANDE04  
**First Name:** Gail L  
**Address:** Suite 200  
**State:** MA  
**Zip Ext:**  
**Tel Ext:**  
**Representing:** Controlled Risk Ins. Co.,  
(Defendant/intervenor)

**Firm Name:** HUNT06  
**First Name:** John  
**Address:**  
**State:** MA  
**Zip Ext:**  
**Tel Ext:**  
**Representing:** Duggan RN, Jacqueline  
(Defendant)

**Firm Name:** ANDE04  
**First Name:** Tamara S  
**Address:** Suite 200  
**State:** MA  
**Zip Ext:**  
**Tel Ext:**  
**Representing:** Controlled Risk Ins. Co.,  
(Defendant/intervenor)

**Firm Name:** SLOA01  
**First Name:** Edward T.  
**Address:** 8th Floor  
**State:** MA  
**Zip Ext:**  
**Tel Ext:**

**Fascimile:** 617-227-0927 **Representing:** Miner MD, Julie (Defendant)

**Attorney Involved:**

**Last Name:** Mahoney  
**Address:** 101 Merrimac Street  
**City:** Boston  
**Zip Code:** 02114  
**Telephone:** 617-227-3240  
**Fascimile:** 617-227-3346

**Firm Name:** MART01  
**First Name:** Edward F  
**Address:** 7th Floor  
**State:** MA  
**Zip Ext:** 4716

**Tel Ext:**  
**Representing:** Ashour MD, (Defendant)

**Attorney Involved:**

**Last Name:** Anderson  
**Address:** One Canal Park  
**City:** Cambridge  
**Zip Code:** 02141  
**Telephone:** 617-621-6500  
**Fascimile:** 617-621-6501

**Firm Name:** ANDE04  
**First Name:** Gail L  
**Address:** Suite 200  
**State:** MA  
**Zip Ext:**

**Tel Ext:**  
**Representing:** Conrolled Risk Ins Co of Vermont,  
(Defendant/intervenor)

**Attorney Involved:**

**Last Name:** Carey  
**Address:** 141 Tremont Street, 8th Floor  
**City:** Boston  
**Zip Code:** 02111  
**Telephone:** 617-426-4488  
**Fascimile:** 617-426-5511

**Firm Name:** CROW05  
**First Name:** Florence A  
**Address:**  
**State:** MA  
**Zip Ext:**

**Tel Ext:**  
**Representing:** Bejarano Jr, ppa, Jose (Plaintiff)

**Attorney Involved:**

**Last Name:** Mone, Sr.  
**Address:** 75 Federal Street, 16th Floor  
**City:** Boston  
**Zip Code:** 02110  
**Telephone:** 617-482-0333  
**Fascimile:** 617-426-2978

**Firm Name:** ESDA01  
**First Name:** Michael E  
**Address:**  
**State:** MA  
**Zip Ext:** 1904

**Tel Ext:**  
**Representing:** Goldberg MD, Alisa (Defendant)

**Attorney Involved:**

**Last Name:** Schreckinger  
**Address:** One Canal Park

**Firm Name:** ANDE04  
**First Name:** Steven L  
**Address:** Suite 200



**Attorney Involved:**

**Last Name:** Hinchey  
**Address:** Three Center Plaza  
**City:** Boston  
**Zip Code:** 02108  
**Telephone:** 617-523-6010  
**Fascimile:** 617-227-0927

**Firm Name:** SLOA01

**First Name:** Edward T.  
**Address:** 8th Floor  
**State:** MA  
**Zip Ext:**  
**Tel Ext:**  
**Representing:** Goldberg MD, Alisa (Defendant)

**Attorney Involved:**

**Last Name:** Schreckinger  
**Address:** One Canal Park  
**City:** Cambridge  
**Zip Code:** 02141  
**Telephone:** 617-621-6500  
**Fascimile:** 617-621-6501

**Firm Name:** ANDE04

**First Name:** Steven L  
**Address:** Suite 200  
**State:** MA  
**Zip Ext:**  
**Tel Ext:**  
**Representing:** Controlled Risk Ins. Co.,  
(Defendant/intervenor)

**Attorney Involved:**

**Last Name:** Wolfson  
**Address:** One Canal Park  
**City:** Cambridge  
**Zip Code:** 02141  
**Telephone:** 617-621-6500  
**Fascimile:** 617-621-6501

**Firm Name:** ANDE04

**First Name:** Tamara S  
**Address:** Suite 200  
**State:** MA  
**Zip Ext:**  
**Tel Ext:**  
**Representing:** Conrolled Risk Ins Co of Vermont,  
(Defendant/intervenor)

**Attorney Involved:**

**Last Name:** Hinchey  
**Address:** Three Center Plaza  
**City:** Boston  
**Zip Code:** 02108  
**Telephone:** 617-523-6010  
**Fascimile:** 617-227-0927

**Firm Name:** SLOA01

**First Name:** Edward T.  
**Address:** 8th Floor  
**State:** MA  
**Zip Ext:**  
**Tel Ext:**  
**Representing:** Burke RN, B (Defendant)

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**Calendar Events**


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22 Calendar Events for Docket: SUCV2003-04068

No.	Calendar Event:	SES:	Event Status:
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	<b>Event Date:</b>	<b>Event Time:</b>			
1	03/25/2005	09:00	Malpractice tribunal	A	Event held as scheduled
2	03/30/2005	09:15	Malpractice tribunal	E	Event held as scheduled
3	08/02/2006	14:00	Conf: final pre-trial	F	Event held as scheduled
4	09/25/2007	08:55	TRIAL: by jury	F	Event moved to another session
5	09/26/2007	08:30	TRIAL: by jury	D	Trial begins
6	09/26/2007	08:30	TRIAL: by jury	D	Event continues over Multiple Days
7	09/27/2007	08:30	TRIAL: by jury	D	Event continues over Multiple Days
8	09/28/2007	08:30	TRIAL: by jury	F	Event continues over Multiple Days
9	10/01/2007	08:30	TRIAL: by jury	D	Event continues over Multiple Days
10	10/02/2007	08:30	TRIAL: by jury	D	Event continues over Multiple Days
11	10/03/2007	08:30	TRIAL: by jury	D	Event continues over Multiple Days
12	10/04/2007	08:30	TRIAL: by jury	D	Event continues over Multiple Days
13	10/05/2007	08:30	TRIAL: by jury	D	Event continues over Multiple Days
14	10/09/2007	08:30	TRIAL: by jury	D	Event continues over Multiple Days
15	10/10/2007	08:30	TRIAL: by jury	D	Event continues over Multiple Days
16	10/11/2007	09:00	TRIAL: by jury	D	Trial ends
17	12/05/2007	15:00	Motion/Hearing: post-judgment	D	Event held as scheduled
18	01/03/2008	10:00	Motion/Hearing: miscellaneous	D	Event not held-joint request
19	01/03/2008	10:00	Conf: review status	D	Event canceled not re-scheduled
20	01/08/2008	11:00	Motion/Hearing: post-judgment	D	Event rescheduled by court prior to date
21	01/28/2008	14:00	Motion/Hearing: post-judgment	D	Event not held-req of Plaintiff
22	02/01/2008	14:00	Motion/Hearing: post-judgment	D	Event held as scheduled

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## Full Docket Entries

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245 Docket Entries for Docket: SUCV2003-04068

<b>Entry Date:</b>	<b>Paper No:</b>	<b>Docket Entry:</b>
08/25/2003	1	Complaint & jury demand on complaint
08/25/2003		Origin 1, Type B06, Track A.
08/25/2003	2	Civil action cover sheet filed
09/24/2003	3	SERVICE RETURNED: Alisa Goldberg MD(Defendant) (In hand on 9/15/03)
09/26/2003	4	SERVICE RETURNED: Julie Miner MD(Defendant) (in hand on 9/18/03)
10/22/2003	5	SERVICE RETURNED: Jacqueline Duggan RN(Defendant) (in hand on
10/22/2003	5	10/14/03)
11/18/2003	6	ANSWER: Alisa Goldberg MD, Julie Miner MD & Jacqueline Duggan RN
11/18/2003	6	(Jury demand) all issues



11/18/2003	7	Request of the defts Alisa Goldberg MD & Julie Miner MD for medical
11/18/2003	7	malpractice tribunal
11/20/2003	8	Request of the deflt Jacqueline Duggan RN for medical malpractice
11/20/2003	8	tribunal
12/04/2003	9	Motion of plffs to extend time to locate and serve defts Adnan
12/04/2003	9	Ashour M D and B Burke R N (w/o opposition)
12/22/2003		MOTION (P#9) ALLOWED (Charles M. Grabau, Justice) Notices mailed
12/22/2003		December 11, 2003 (entered 12/8/03)
01/09/2004	10	ANSWER: B Burke RN(Defendant) (Jury demand) all issues
01/09/2004	11	Request of the deflt Barbara Burke RN for medical malpractice tribunal
01/13/2004		Suspend time standards re Ashour MD: Motion to extend to complete
01/13/2004		service ALLOWED (See P#9)
01/13/2004		Case status changed to 'Needs review for answers' at service deadline
01/13/2004		review
01/29/2004	12	SERVICE RETURNED: B Burke RN(Defendant) (in hand 12/10/04)
02/27/2004	13	Plffs second motion to extend time to lacate and server the deflt
02/27/2004	13	Adnan Ashour M D only (w/o opposition)
03/05/2004		MOTION (P#13) ALLOWED (Geraldine S. Hines, Justice) Notices mailed
03/05/2004		March 04, 2004 (entered 3/3/04)
04/16/2004		Case status changed to 'Needs discovery' at answer deadline review
07/29/2004	14	Motion of plffs to extend time to locate and serve the deflt Adnan N
07/29/2004	14	Ashour, MD only to & incl 1/14/05 (with opposition)
08/05/2004		MOTION (P#14) DENIED (Joseph M Walker, III Justice) Notices mailed
08/05/2004		August 03, 2004 (entered 8/2/04)
09/21/2004	15	Motion of defts Jacqueline Duggan, RN & Barbara Burke, RN for
09/21/2004	15	separate tribunal (w/o opposition)
09/21/2004	16	Motion of defts Alisa Goldberg, MD & Julie Miner, MD for separate
09/21/2004	16	tribunals (w/o opposition)
09/30/2004		MOTION (P#15) ALLOWED (Joseph M Walker, III Justice) Notices mailed
09/30/2004		September 29, 2004 (entered 9/27/04)
09/30/2004		MOTION (P#16) ALLOWED (Joseph M Walker, III Justice) Notices mailed
09/30/2004		September 29, 2004 (entered 9/27/04)
01/13/2005	17	Application of Ashour MD, Julie Miner MD, Jacqueline Duggan RN, B
01/13/2005	17	Burke RN for Jose Bejarano Jr, ppa's hospital records from Children's
01/13/2005	17	Services of Roxbury, Early Intervention Program (Dated 1/7/05)
01/13/2005	18	ORDER for hospital records from Children's Services of Roxbury, Early
01/13/2005	18	Intervention Program (P#17) (Christopher J. Muse, Justice) (Dated
01/13/2005	18	1/11/05)
01/13/2005	19	Application of Alisa Goldberg MD, Ashour MD, Julie Miner MD,
01/13/2005	19	Jacqueline Duggan RN, B Burke RN for Jose Bejarano Jr, ppa's hospital
01/13/2005	19	records from Cerebral Palsy of Massachusetts (Dated 1/7/05)
01/13/2005	20	ORDER for hospital records from Cerebral Palsy of Massachusetts
01/13/2005	20	(P#19) (Christopher J. Muse, Justice) (Dated 1/11/05)
01/13/2005	21	Application of Alisa Goldberg MD, Ashour MD, Julie Miner MD,

01/13/2005	21	Jacqueline Duggan RN, B Burke RN for Jose Bejarano Jr, ppa's hospital
01/13/2005	21	records from James F Condon Elementary School (Dated 1/7/05)
01/13/2005	22	ORDER for hospital records from James F Condon Elementary School
01/13/2005	22	(P#21) (Christopher J. Muse, Justice) (Dated 1/11/05)
02/23/2005	23	Offer of proof of plff
03/29/2005	24	Finding of the Medical Malpractice Tribunal for Plaintiff as to Jose
03/29/2005	24	Bejarano Jr, ppa as to Jacqueline Duggan RN (Fahey,J) (Dated 3/25/05)
03/29/2005	24	notice sent 3/28/05
03/29/2005	25	Finding of the Medical Malpractice Tribunal for Plaintiff Jose
03/29/2005	25	Bejarano Jr, ppa as to B Burke RN (Fahey,J) (Dated 3/25/05) notice
03/29/2005	25	sent 3/28/05
04/04/2005	26	Finding of the Medical Malpractice Tribunal for Plaintiff Jose
04/04/2005	26	Beljarano Jr. ppa as to Julie Miner MD (sanders,J) (Dated 3/30/05)
04/04/2005	26	notice sent 3/31/05
04/04/2005	27	Finding of the Medical Malpractice Tribunal for Plaintiff Jose
04/04/2005	27	Bejarano Jr., ppa as to Alisa Goldberg MD (Sanders,J) (Dated 3/30/05)
04/04/2005	27	notice sent 3/31/05
05/23/2005	28	Plffs motion to appoint special processor to serve deflt Adnan N
05/23/2005	28	Ashour M D (w/o opposition)
05/27/2005		MOTION (P#28) ALLOWED (Christopher J. Muse, Justice) Notices mailed
05/27/2005		May 31, 2005
05/31/2005	29	Emergency motion to strike motion filed with court without
05/31/2005	29	compliance of Superior Court 9A and motion to dismiss case against
05/31/2005	29	deft Adnan Ashour M D (w/o opposition)
06/01/2005	30	ORDER TO APPOINT SPECIAL PROCESS SERVICE: IT IS HEREBY ORDERED, that
06/01/2005	30	APS International, Ltd. is appointed Special Process Service for the
06/01/2005	30	purpose of serving process on the Defendant, Adnan N. Ashour, M.D.,
06/01/2005	30	in Saudia Arabia, by delivering a copy of the Summons and a copy of
06/01/2005	30	the Complaint to the individual personally or by leaving copies
06/01/2005	30	thereof at the individual's dwelling house or usual place of abode
06/01/2005	30	with some person of suitable age and discretion then residing therein
06/01/2005	30	or by delivering a copy of the summons and a copy of the Complaint to
06/01/2005	30	an agent authorized by appointment or by law to receive service of
06/01/2005	30	process. (Christopher J. Muse, Justice) Dated 5/27/05
06/01/2005	31	Plff's opposition to defts emergency motion to dismiss and
06/01/2005	31	opposition to defts motion to strike plffs motion to appoint special
06/01/2005	31	processor
06/01/2005	32	Emergency motion to strike motion filed with court without
06/01/2005	32	compliance of Superior Court rule 9A and motion to dismiss case
06/01/2005	32	against deflt Adnan Ashour M D (w/o opposition)
06/06/2005		MOTION (P#29) DENIED fo reasons set forth in opposition - motion to
06/06/2005		appoint special process server ALLOWED - per attached order
06/06/2005		(Christopher J. Muse, Justice) Notices mailed June 07, 2005
06/06/2005	33	Order to appoint special process service - It is hereby ordered that

06/06/2005	33	APS International Ltd is appointed Special Process Service for the
06/06/2005	33	purpose of serving process on the Deft Adnan N Ashour MD in Saudis
06/06/2005	33	Arabia by delivering a copy of the summons & a copy of the complaint
06/06/2005	33	to the individual personally or by leaving copies thereof at the
06/06/2005	33	individual's dwelling house or usual place of abode with some person
06/06/2005	33	of suitable age & discretion then residing therein or by delivering a
06/06/2005	33	copy of the summons & a copy of the complaint to an agent authorized
06/06/2005	33	by appointment or by law to receiver service of process (Muse,J)
06/06/2005	33	Notice sent 6/7/05
12/05/2005	34	Parties' joint MOTION to amend tracking deadlines, filed on 11/21/05
12/05/2005	34	& ALLOWED on 11/28/05. (Geraldine Hines, Justice) notice sent 12/1/05
12/05/2005	35	Request to change the Data Base Information to: Track Unchanged;
12/05/2005	35	Discovery 2/15/06; Rule 56 motion 4/14/06 & Final PTC 6/12/06
12/05/2005	35	(Geraldine Hines, Justice) (entered 11/30/05) notice sent 12/1/05
08/02/2006	36	Joint pre-trial memorandum filed
04/24/2007	37	Stipulation of Dismissal (filed 4/20/07) as to plff vs deft Barbara
04/24/2007	37	Burke R.N. with prejudice and without costs JUDGMENT entered on
04/24/2007	37	docket pursuant to Mass R Civ P 58(a) as amended and notice sent to
04/24/2007	37	parties pursuant to Mass R Civ P 77(d)
09/25/2007	38	Trial: Proposed Voir Dire These proposed impanelment questions are
09/25/2007	38	asked or not asked as reflected in the trial record (Cratsley, J.)
10/11/2007	39	Special Verdict slip Notice sent 10/16/07
10/16/2007	40	JUDGMENT ON JURY VERDICT That the plff Jose Bejarano Jr ppa recover
10/16/2007	40	of the deft Alisa Goldberg MD and Julie Miner MD the sum of
10/16/2007	40	\$26,500,000 with interest from Aug 25, 2003 and costs entered on
10/16/2007	40	docket pursuant to Mass R Civ P 58(a) and notice sent to parties
10/16/2007	40	pursuant to Mass R Civ P 77(d)
10/16/2007	41	JUDGMENT ON JURY VERDICT That the plff Jose Bejarano Jr ppa take
10/16/2007	41	nothing that the action be dismissed on the merits and that the deft
10/16/2007	41	Jacqueline Dugan RN recover costs entered on docket pursuant to Mass R
10/16/2007	41	Civ P 58(a) and notice sent to parties pursuant to Mass R Civ P 77(d)
10/17/2007	42	Defendants MOTION for Directed Verdict against the plaintiff Filed in
10/17/2007	42	open Ct. Artgued and DENIED w/o prejudice to renew at the close of
10/17/2007	42	all the evidence (cratsley, J.). dated 10/3/07
10/17/2007		MOTION (P#42) DENIED w/o prejudice to renews after a verdict is
10/17/2007		received (John C Cratsley, RAJ) dated 10/5/07
10/26/2007	43	Defendant Alisa Goldberg MD, Julie Miner MD's MOTION for Judgment not
10/26/2007	43	withstanding verdict, Alternatively a New Trial and in further
10/26/2007	43	alternartive for Remittitur w/o opposition
10/29/2007	44	Court received a letter to the Honorable John C. Cratsley for leave
10/29/2007	44	for the defts to file a brief in excess of 20 pages, filed & ALLOWED
10/29/2007	44	on 10/25/07 (John CRatsley, Justice) notices mailed 10/26/07
12/10/2007	45	Plaintiff Jose Bejarano Jr, ppa's MOTION for Entry of Default against
12/10/2007	45	Adnan Ashour MD (w/opp)

12/10/2007	46	Opposition of Defendant, Adnan Ashour, M.D., to Plaintiff's motion
12/10/2007	46	for entry of default and Defendant's CROSS-MOTION to Dismiss for
12/10/2007	46	Insufficiency of Service of Process (w/opp)
12/10/2007	47	MOTION of Controlled Risk Insurance Company to Intervene to Oppose
12/10/2007	47	the Motion to Default Adnan Ashour, M.D. and Request for Hearing
12/10/2007	47	(w/opp)
12/10/2007	48	Affidavit of Elizabeth N Mulvey in Opposition to Defendant's motion to
12/10/2007	48	dismiss
01/10/2008	49	Motion of Controlled Risk Insurance Co LTD and Controlled Risk
01/10/2008	49	Insurance Co. of Vermont to Intervene to presecute defts Motion for
01/10/2008	49	Judgment Notwithstanding the Verdict Alternatively a New Trial or in
01/10/2008	49	further alternative for Remittur and request for hearing w/opposition
05/02/2008		MOTION (P#45) DENIED see my written opinion issued this date (John C
05/02/2008		Cratsley, RAJ) dated 4/29/08
05/02/2008		MOTION (P#46) Cross-motion to dismiss allowed See my written opinion
05/02/2008		issued this date) ALLOWED (John C Cratsley, RAJ) dated 4/29/08
05/02/2008		MOTION (P#47) ALLOWED See my written opinion issued this date (John C
05/02/2008		Cratsley, RAJ)
05/02/2008		MOTION (P#49) DENIED See my written opinion issued this date (John C
05/02/2008		Cratsley, RAJ) dated 4/29/08
05/02/2008	50	MEMORANDUM OF DECISION AND ORDER ON POST-JUDGMENT MOTIONS ORDER It
		is
05/02/2008	50	hereby ORDERED that (1) CRICO's Motion to Intervene to Oppose the
05/02/2008	50	Motion to default Dr. Ashour is ALLOWED. (2) Bejarano's Motion for
05/02/2008	50	Entry of default as to Dr. Ashour is DENIED (3) Dr.,. Ashour's
05/02/2008	50	Cross-Motion to Dismiss for insufficient Service of Process is
05/02/2008	50	ALLOWED and (4) CRICO'S Motion to intervene to Prosecute Dr. Miner's
05/02/2008	50	and Dr. Goldberg's Motioin for Judgment Notwithstanding the Verdict
05/02/2008	50	Alternatively a New Trial or in the Further Alternative for
05/02/2008	50	Remittitur is DENIED (John C Cratsley, RAJ). Copies mailed 4/30/08
05/02/2008	50	DATED 4/29/08
05/14/2008	51	Plaintiff Jose Bejarano Jr, ppa's notice of appeal
05/28/2008	52	Notice of appeal re: Controlled Risk Ins Co Ltd & Controlled Risk Ins
05/28/2008	52	Co of Vermont
06/02/2008		Notice to Justice John C. Cratsley of the filing of Notice of Appeal
06/02/2008		Notice of service of the filing of Notice of Appeal to: Philip J.
06/02/2008		Crowe, Jr., Esquire, Elizabeth Mulvey, Esquire, Florence A. Carey,
06/02/2008		Esquire, Messrs Crowe & Mulvey; Edward T. Hinchey, Esquire, John
06/02/2008		Faggiano, Esquire, Michael E. Mone, Esquire, Messrs Sloane & Walsh;
06/02/2008		Edward F. Mahoney, Esquire, Robert E. Burgess, Esquire, Messrs
06/02/2008		Martin, Magnuson, McCarthy & Kenney
06/09/2008	53	JUDGMENT ON MOTION TO DISMISS The complaint of plff is hereby
06/09/2008	53	dismissed against the deflt Adan Ashour MD entered on docket pursuant
06/09/2008	53	to Mass R Civ P 58(a) and notice sent to parties pursuant to Mass R

06/09/2008	53	Civ P 77(d)
06/11/2008	54	Plaintiff Jose Bejarano Jr, ppa's notice of appeal
06/11/2008		Notice to Justice John C. Cratsley of the filing of Notice of Appeal
06/11/2008		Notice of service of the filing of Notice of Appeal to: Philip J.
06/11/2008		Crowe, Jr., Esquire, Elizabeth Mulvey, Esquire, Florence A. Carey,
06/11/2008		Esquire, Messrs Crowe & Mulvey; Edward T. Hinchey, Esquire, John
06/11/2008		Faggiano, Esquire, Michael E. Mone, Esquire, Messrs Sloane & Walsh;
06/11/2008		Edward F. Mahoney, Esquire, Robert E. Burgess, Esquire, Messrs
06/11/2008		Martin, Magnuson, McCarthy & Kenney
06/23/2008	55	Plaintiff's Attorney Elizabeth M. Mulvey, Messrs Crowe & Mulvey LLP
06/23/2008	55	statement of issues on Appeal 1. Whether the trial court erred in
06/23/2008	55	granting the motion of defendant, Adnan Ashour, M.D., to dismiss the
06/23/2008	55	plaintiff's complaint. The plaintiff does not intend to rely on any
06/23/2008	55	portions of the transcript beyond what is already part of the record
06/23/2008	55	in this case
07/28/2008		Notice of assembly of record on Appeal
08/05/2008	56	Emergency Motion of Controlled Risk Insurance Company Pursuant to
08/05/2008	56	MRCP60(a) to recall Notice of Assembly of Record on Appeal and
08/05/2008	56	request for hearing w/o opposition
08/11/2008		Motion (P#56) Withdrawn by Counsel per telephone call to Jane Mahon
08/11/2008		(John C Cratsley, RAJ). Dated 8/6/08 Notices mailed 8/11/2008
08/12/2008		Motion (P#56) Moot as motion has been withdrawn ( (Cratsley,J) (by
08/12/2008		Ball ,J)(entered 8/7/08)
08/14/2008	57	Notice of docket entry received from Appeals Court; It having been
08/14/2008	57	made to appear that the notice of assembly of the record and the
08/14/2008	57	entry of the appeal in this court were premature because there are
08/14/2008	57	deficiencies in the transcript of proceedings, it is ordered that
08/14/2008	57	such notice and entry be vacated that all papers transmitted to this
08/14/2008	57	court are returned to the clerk in the trial court; that no new
08/14/2008	57	notice of the assembly of the record is to be issued by the clerk of
08/14/2008	57	the trial court until the deficiencies in the transcript have been
08/14/2008	57	cured; and that the foregoing is without prejudice to the reentry of
08/14/2008	57	the appeal in this court following the issuance of a new notice of
08/14/2008	57	assembly of the record.
08/14/2008	58	Certification from Attorney Gail L. Anderson that transcript ordered
08/14/2008	58	from Court Reporter
09/15/2009	59	Transcript of proceedings (3 volumes received from Court Reporter
09/15/2009	59	Caryn Johnson for september 25, 27, 28, 2007)
09/24/2009	60	Transcript of proceedings (1volume received from Court Reporter Diane
09/24/2009	60	Cercone for September 26, 2007)
10/29/2009	61	Transcript of proceedings (11 volume received from McLellan Court
10/29/2009	61	Reporting for October 1, 2007; 2 volumes for October 2, 3, 4, 2007:
10/29/2009	61	October 5, 9, 10, 11, 2007)
10/29/2009	62	Transcript of proceedings (1 volume received from Pamela A. Spang

10/29/2009	62	Court Reporterfor December 5, 2007 Hearing- Approval of Settlement)
10/29/2009	63	Transcript of proceedings (2 volume received from McLellan Court
10/29/2009	63	Reporting for February 1, 26, 2008 Hearing Post Trail Motions)
05/24/2010	64	Notice of assembly of record on Appeal
02/28/2011	65	Notice of docket entry received from SJC: ORDER: It is hereby
02/28/2011	65	ordered, that the following Application for Direct Appellate Review
02/28/2011	65	be ALLOWED
03/09/2011	66	Notice of Entry (SJC-10920) in accordance with 10(a)(3), that on
03/09/2011	66	March 2, 2011, the above -preferenced case was entered on the docket
03/09/2011	66	of this court
03/02/2012	67	Notice of docket entry received from SJC: February 29, 2012 -
03/02/2012	67	Stipulation of Dismissal with prejudice (per the within pursuant to
03/02/2012	67	Mass R A P 29(b), Appeal is DISMISSED Notice sent by SJC
03/05/2012	68	Parties' joint MOTION to VACATE judgment (60b)] & Stipulation of
03/05/2012	68	Dismissal w/ prejudice
03/14/2012		Motion (P#68) ALLOWED (Geraldine S. Hines, Justice) Notices mailed
03/14/2012		3/13/2012

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