

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY COPIES SENT
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA PURSUANT TO Pa.R.C.P. 236(b)
CIVIL TRIAL DIVISION

AUG 03 2009

CHARLES MCCARTHY,

Plaintiff,

v.

GENESIS HEALTHCARE
CORPORATION, et al.

Defendants.

FIRST JUDICIAL DISTRICT OF PA
USER I.D. _____

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

FEBRUARY TERM, 2008

No. 3459

Mccarthy Vs Genesis Healthcare Corp Etal-ORDER



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AUG 03 2009

D. WILLIAMS

ORDER

AND NOW, this ^{30th} day of ^{July} 2009, upon consideration of the defendants' motion to compel discovery, the plaintiff's response thereto, and the recommendation of the Discovery Master after a discovery conference, it is hereby ORDERED that the motion is GRANTED IN PART and DENIED IN PART as follows:

1. Defendants' motion to compel answers to interrogatory numbers 4 through 12 is denied without prejudice. Counsel for all parties are ORDERED to meet and confer about narrowing the issues and parties in this case by September 8, 2009, after the completion of the bulk of discovery. After that meeting, defendants may request consideration of this motion as to the issues remaining in the case.

2. In response to interrogatory number 25, counsel for the plaintiff will provide, if known or reasonably ascertainable, the names,

addresses, and specialties of health care providers of McCarthy, and also the reasons for treatment and approximate dates of care for the five (5) year period before his death. Plaintiff shall identify his primary care physicians and provide their names and addresses.

3. Defendant's motion to compel an answer to interrogatory number 43 is denied.

BY THE COURT:



Sandra Mazer Moss, J.

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RECEIVED

JUL 28 2009

July 28, 2009

Hon. Sandra M. Moss

HAND DELIVERED

Hon. Sandra Mazer Moss
Room 392, City Hall
Philadelphia, PA 19107

Re: McCarthy v. Genesis Healthcare Corporation, et al.
February Term 2008, No. 3459

Dear Judge Moss:

Enclosed is a proposed discovery order in this case. The underlying motions are also enclosed.

The defendants' motion seeks detailed answers to theory interrogatories 4-12 about each party. I believe that requiring responses is premature, and the parties should be required to meet and try to narrow the issues and parties before responses are required, after the bulk of discovery has been completed.

The plaintiffs should be required to provide more detailed answers about physicians in response to interrogatory number 25 so that defendants can obtain appropriate records.

Interrogatory number 43 seeks an identification of statutes, rules, regulations, ordinances, or industry standards relied upon. This request

Hon. Sandra Mazer Moss
July 28, 2009
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should be denied because the plaintiff's experts will be addressing this issue in their reports.

Respectfully,

A handwritten signature in black ink, appearing to read "Gilda L. Kramer". The signature is written in a cursive style with a large initial "G".

Gilda L. Kramer

GLK/rj
Enclosures