

At an IAS Part 17, of the Supreme Court of the State of New York, held in and for the County of Suffolk, at the Courthouse located at One Court Street, Riverhead, New York 11901 on July 14, 2008

P R E S E N T:

Hon. Peter H. Mayer
Justice

FILED

JUL 23 2008

Judith A. Pascale
CLERK OF SUFFOLK COUNTY

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Plaintiff,

-against-

ORDER

Index No. 9925/07

WEST TREMONT MEDICAL DIAGNOSTICS,
P.C., f/k/a WEST TREMONT RADIOLOGY, P.C.,
BRONX RADIOLOGY, PC., BRONX EXPERT
RADIOLOGY, P.C. KENNETH SCHWARTZ,
M.D., RICHARD HELLANDER, M.D., RONALD
ROSKIN, BRUCE GREGORY CAMPBELL, M.D.,
BERNARD GLASSMAN, TREMONT
PROFESSIONAL MANAGEMENT, INC., G.B.
MEDICAL MANAGEMENT, INC. f/k/a GB
ASSOCIATES, INC. and STARMED
MANAGEMENT, INC.,

Defendants.

UPON the following submissions considered on these motions; certain defendants' motion to quash or limit subpoenas and memorandum of law and affirmations in support thereof, plaintiff's affirmation in opposition to the motion to quash or limit subpoenas; plaintiff's motion for a default judgment against defendant Richard Hellander, M.D., and upon the oral decision of the court read into the record on April 2, 2008, minutes attached hereto, and upon all of the pleadings and proceedings heretofore had herein, ~~it is hereby~~ as well as the parties' stipulation, dated June 30, 2008, it is hereby

ORDERED that moving defendants' motion to quash or limit subpoenas for the records of (1) JP Morgan Chase Bank records in the name of WEST

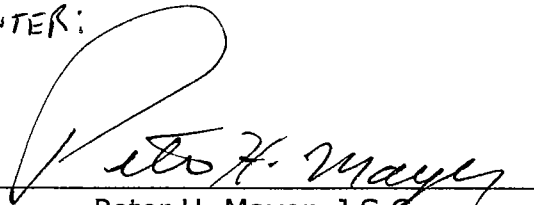
JUL 25 2008

TREMONT DIAGNOSTICS, P.C., numbers 241500215765, 241500439865 and 241500439905; (2) JP Morgan Chase Bank records in the name of BRONX RADIOLOGY, P.C., numbers 241500312565 and 241500312585; (3) JP Morgan Chase Bank records in the name of BRONX EXPERT RADIOLOGY, P.C., numbers 241500424065, 241500354765 and 241500424068; (4) JP Morgan Chase Bank records in the name of RADIOLOGY RESOURCE NETWORK D/B/A W TREMONT MEDICAL DIAGNOSTICS, P.C., number 241500216565; (5) JP Morgan Chase Bank records in the name of TREMONT PROFESSIONAL MANAGEMENT, INC., for number 241500174465; (6) Commerce Bank records in the name of THOMAS LAWRENCE & CO., W. TREMONT DIAGNOSTIC IMAGING, routing number 031201300; and (7) Wachovia Bank records in the name of THOMAS LAWRENCE & CO., BRONX RADIOLOGY, P.C., routing number 031000011, is decided as follows: The motion to quash the subpoenas is denied. The motion to limit subpoenas is granted to the extent that the subpoenas shall be modified to require that the banks that received such subpoenas shall produce their records of monetary transfers into or out of the bank accounts specified in the subpoenas, from, to, between and among any and all of the named defendants, whether or not such defendant's name appears in the body of the subpoenas; and it is further

ORDERED, that Plaintiff's motion for a default judgment against RICHARD HELLANDER, M.D., be and hereby is denied, without prejudice to renew such motion upon proper papers.

GRANTED
JUL 14 2008
Judith A. Pascale
CLERK OF SUFFOLK COUNTY

ENTER:


Peter H. Mayer, J.S.C.