

FILED

JAN 04 2008

Judge Bradley J. Ferencz

D4284/JJG
McLAUGHLIN & COOPER
 949 West State Street
 P.O. Box 1718
 Trenton, N.J. 08607-1718
 (609)989-8050

Attorney for Defendants, Heenaben Modi and Ashokkuma Modi

WILLIAM ROSE and FRANCES
 ROSE, his wife

Plaintiffs

-vs-

HEENABEN A. MODI and
 ASHOKKUMA B. MODI

Defendants

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION-MIDDLESEX CO.
 DOCKET NO. MID-L-4950-07
 CIVIL ACTION

ORDER

THIS MATTER having been brought before the Court on Motion of McLaughlin & Cooper, attorneys for the Defendants, Heenaben Modi and Ashokkuma Modi, for an Order compelling the Plaintiff, William Rose, to appear for a neurological examination and an orthopedic examination without restrictions, and the Court having reviewed the moving papers and for good cause shown:

IT IS ON THIS 4 day of January, 2008

ORDERED that the Plaintiff, William Rose, appear for a neurological examination .

~~by Dr. Eric Ferencz on February 10, 2008 at 10:00 A.M.;~~

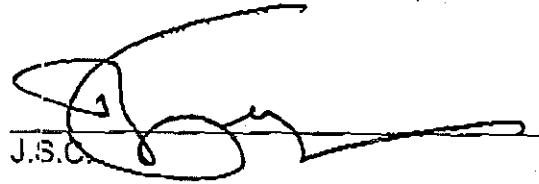
IT IS FURTHER ORDERED that Plaintiff appear for an orthopedic examination ~~by~~

~~Dr. Robert Berak on February 7, 2008 at 9:30 A.M.;~~

IT IS FURTHER ORDERED that the Plaintiff appear for both the neurological and orthopedic examinations without the presence of a nurse or a recording device;

IT IS FURTHER ORDERED that Dr. Berak provides Plaintiff's counsel with any form or patient questionnaire, and the form is reviewed by an attorney or the Plaintiff receives any help in completing the form, the form must state as such; and

IT IS FURTHER ORDERED that a copy of the within Order shall be served upon all counsel of record within seven (7) days of the date hereof.



J.S.C.

BRADLEY J. FERENCZ, J.S.C.

Papers filed with the Court:

- Answering Papers
- Reply Papers

The ~~within~~ Notice of Motion was:

- Opposed
- Unopposed

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HEILBRUNN, PAPE & GOLDSTEIN, L.L.C.
2501 Route 516
Old Bridge, NJ 08857
(732) 679-8844
Attorneys for Plaintiffs

WILLIAM ROSE and
FRANCES ROSE, his wife
Plaintiffs,

vs.

HEENABEN A. MODI and
ASHOKKUMA B. MODI,
Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY

Docket No. MID-L-4950-07

CIVIL ACTION

ORDER

THIS MATTER having been opened to the Court by the Firm of Heilbrunn, Pape & Goldstein, L.L.C. and Robert E. Goldstein, Esq., moving for the Plaintiff, for an Order permitting plaintiff to have a nurse present at the defense medical examinations requested by the attorney for the defendant with Dr. Robert Bercik and Dr. Eric Fremed, and the Court having considered the papers submitted pursuant to R 1:6-2 and any opposition thereto, and for good cause shown:

IT IS on this 4 day of January, 2007,

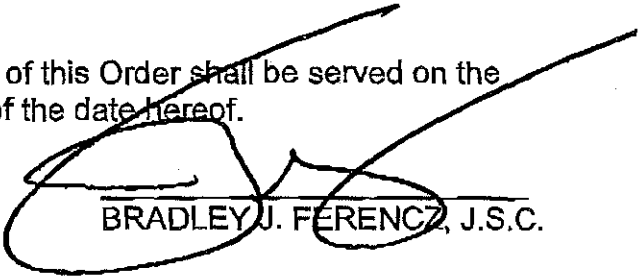
ORDERED as follows:

1. The plaintiff shall be permitted to have a nurse present at all aspects of the defense medical examinations requested by the attorney for the defendant with Dr. Robert Bercik and Dr. Eric Fremed or any physician to defense chooses to have the plaintiff examined by, and such nurse shall be allowed take notes as she deems necessary and proper and shall further be allowed to make an audio recording of the entire

examination, a copy of which shall thereafter be provided by plaintiff's attorney to defendant's attorney; and

2. That the nurse will neither ask nor answer questions nor interfere in any way in the examination, although she may move when movement is required to make such observations she deems appropriate; and;

IT IS FURTHER ORDERED that a copy of this Order shall be served on the attorney for defendants within seven (7) days of the date hereof.



BRADLEY J. FERENCZ, J.S.C.

The Plaintiff's Cross-Motion was:

OPPOSED: ✓

UNOPPOSED: