

DOCKET NO.: UWY-CV-15-6025912-S : SUPERIOR COURT
JAMES GRECHKA : J.D. OF WATERBURY
V. : AT WATERBURY
WHOLE FOODS MARKET GROUP, INC. : JUNE 30, 2016

DEFENDANT'S TRIAL MANAGEMENT MEMORANDUM

The Defendant Whole Foods Market Group, Inc., hereby submits its portion of the Trial Management Memorandum in accordance with the Civil Jury Trial Management Order, Revised March 11, 2011.

1. FACTUAL DESCRIPTION:

This is a negligence action brought by the Plaintiff James Grechka against the Defendant Whole Foods Market Group, Inc. arising out of his trip and fall accident on alleged uneven pavers on a walkway leading into the officer trailer of Lily Transportation located at 400 East Johnson Avenue, Cheshire, CT on 10/4/2013. The Plaintiff alleges that he sustained personal injuries.

The Defendant Whole Foods denies the Plaintiff's claims.

2. LEGAL AND FACTUAL ISSUES IN DISPUTE:

The Defendant, Whole Foods denies that it was negligent. Accordingly, the following issues remain in dispute as to Plaintiff's claims against it: (1) liability; (2) causation; and (3) damages.

3. **LIST OF WITNESSES**

PLAINTIFF'S WITNESSES:

DEFENDANT'S WITNESSES:

The Defendant anticipates calling the following witnesses to testify at Trial:

1. James Grechka (Party)
2. Jim Doyle of Whole Foods (Party)
3. Judy Cadden of Lily Transportation (Fact Witness)
4. Peter Crowley of Lily Transportation (Fact Witness)
5. Other employees of Whole Foods and Lily Transportation (Fact Witnesses)
6. Professional Ambulance (Plaintiff's treator/Expert)
7. Waterbury Hospital (Plaintiff's treator/Expert)
8. Dr. Richard Manzo (Plaintiff's treator/Expert)
9. Naugatuck Valley Surgical Center (Plaintiff's treator/Expert)

Defendant Whole Foods reserves its right to amend or supplement this list. In addition this Defendant reserves its right to call expert witnesses designated by Plaintiff or based on evidence introduced at trial. The Defendant reserves the right to amend this list of witnesses based on the Plaintiff's case-in-chief and reserves its right to call rebuttal witnesses should the need arise at Trial.

4. **LIST OF PENDING MOTIONS:**

1. The Defendant anticipates filing motions in *limine*.
2. Plaintiff's Motion to Cite In Additional Party
3. Defendant's Motion to Cite in Additional Party

5. **OPERATIVE PLEADINGS:**

1. Summons and Complaint
2. Answer and Special Defense
3. Reply to Special Defense
4. Whole Foods Responses and Objections to Request for Admissions

6. **ESTIMATE OF TIME FOR JURY SELECTION:**

The Defendant estimates that jury selection will take approximately 3 to 5 days.

7. **ESTIMATE OF TIME NECESSARY TO TRY THE CASE:**

The Defendant estimates that evidence will take approximately 2 to 3 days.

8. **ANTICIPATED SCHEDULING PROBLEMS:**

The Defendant does not anticipate any scheduling problems at this time but will advise the Court immediately if there are any issues that were not anticipated at this time.

THE DEFENDANT
WHOLE FOODS MARKET GROUP, INC.

By: 

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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2016, a copy of the above was hand delivered to the following counsel and pro se parties of record:

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Janice D. Lai, Esq.