

DOCKET NO.: FBT-CV15-6048078-S : SUPERIOR COURT

JONATHAN SHAPIRO : JUDICIAL DISTRICT OF
: FAIRFIELD

PLAINTIFF

V. : AT BRIDGEPORT

FRANK DELBUONO, JR.
and CITY OF BRIDGEPORT : November 14, 2016

DEFENDANT

MOTION FOR PROTECTIVE ORDER

On October 31, 2016, the defendants served on the plaintiff, Jonathan Shapiro, who was already deposed in this matter on March 2, 2016, a "Notice of Recontinued Deposition," seeking additional deposition testimony from Mr. Shapiro on November 15, 2016, ostensibly "for the purpose of questioning Plaintiff regarding all discovery compliance produced in 2016." See Notice of Recontinued Deposition, attached hereto as Exhibit A. Mr. Shapiro moves for a protective order pursuant to Practice Book § 13-5 and asks that the Court prohibit the defendants from taking Mr. Shapiro's deposition again because the defendants' request is premised solely on mischaracterization of Mr. Shapiro's

March 2, 2016 deposition testimony and inconsequential additional disclosures of October 26, 2016.

I. Background

On March 6, 2016, Mr. Shapiro was deposed by defendants' counsel. Relevant excerpts of Mr. Shapiro's testimony are attached hereto as Exhibit B.¹

Mr. Shapiro testified that in 2003, while attending Shelton High School, he was arrested for marijuana possession, and was charged, but not convicted of such possession. Deposition Transcript of Jonathan Shapiro, pp. 8-9 ("Shapiro Dep."). Mr. Shapiro acknowledged that in addition to using marijuana as a teen, he also had taken cocaine, heroin, ecstasy, and LSD when he was younger. *Id.* at 36.

Mr. Shapiro testified that he attended drug rehabilitation at Silver Hills in New Canaan and at the Caron Foundation in Wernersville, Pennsylvania. All such inpatient stays occurred prior to his incarceration in 2007 for attempted possession of narcotics. *Id.* at 35-36.

¹ Exhibits B-M and O-P attached hereto have been lodged under seal with the Court pursuant to Practice Book § 7-4C.

Mr. Shapiro further testified that in 2007, he was convicted of attempted possession of narcotics. *Id.* at 19-20. He was sentenced in March 2007 and served several months, successfully completing probation. *Id.* at 20-21. In December 2007, Mr. Shapiro was convicted of felony firearm possession and was incarcerated until June 2010. *Id.* at 16-19. Upon his release in 2010, Mr. Shapiro completed a federal accelerated probation program, supplied urine specimens and never tested positive for drug use. *Id.* at p. 21-22.

Mr. Shapiro further testified that for a period of months in 2015, he took heroin and marijuana daily. *Id.* at 37. The triggering event for this relapse was the prescription of pain medication, which Mr. Shapiro had previously taken when he was younger. *Id.* Other than the brief relapse, Mr. Shapiro testified that he did not take any non-prescribed drugs while being treated for the injuries he suffered in the automobile collision in this case. *Id.* at 71-72. Mr. Shapiro further testified that he was not presently using any drugs that would affect his memory of the accident. *Id.* at 31.

Prior to his deposition, on April 13, 2015, Mr. Shapiro disclosed to the defendants all medical records from his treating providers in the possession of his counsel. The records from Orthopaedic Specialty Group, P.C. included Mr.

Shapiro's patient intake forms and visit records for Drs. Perlman, Shear and Saffir, relevant excerpts of which are attached hereto as Exhibits C, D and E, respectively. Mr. Shapiro initially visited Dr. Perlman on February 21, 2013, six days after the collision that caused his injuries. His patient intake form prompted him for his past medical history, and asked "Do you have a history of substance abuse?" and "If yes, explain." Ex. C, p. 2. Mr. Shapiro checked the box marked "Y" and wrote in the field provided "clean 5+ years." *Id.* Dr. Perlman noted the same in his records of the initial visit, indicating under the heading "Medications" that "patient has a history of prior drug abuse." *Id.* at 3.

Indeed, Dr. Saffir, whom Mr. Shapiro saw more than any other doctor at Orthopaedic Specialty Group, indicated that he was aware of Mr. Shapiro's disclosure in his records. Dr. Saffir noted on separate visits that he "discussed with [Mr. Shapiro] the use of long term narcotic medications would not be indicated," and that "long term narcotics would not be ideal in [Mr. Shapiro's] case." Ex. E, pp. 6, 7. Dr. Saffir noted that he would be giving a "limited prescription," and when Mr. Shapiro was "not able to cut back" on his medication, Dr. Saffir reviewed his pain management protocol with him. Ex. E, pp. 4, 5. When Mr. Shapiro "questioned why [he] cannot continue to use the

narcotics which appear to be working best at that strength,” Dr. Saffir “explained to him the limitations and temporary use.” Dr. Saffir asked Mr. Shapiro to keep a log of his medication use, and when Mr. Shapiro started seeing Dr. Sood, Dr. Saffir expressed that “[Mr. Shapiro] has been prescribed with pain medication by Dr. Sood presently and hopefully this will be tapered further which appears to be Dr. Soods’ intent as well based on my discussions with the patient.” Ex. E, p. 9.

These concerns were also noted by Dr. Sood in the records disclosed to defendants on April 13, 2015, relevant excerpts of which are attached hereto as Exhibit F. Dr. Sood, who reviewed Dr. Saffir’s notes, indicated that Mr. Shapiro “is on [a] significant dose of opioid medication, and my concern with this, especially in light of his age was emphasized and discussed at length. ... I am hopeful that he would show positive response to the interventions, and in the near future, he can be weaned down on the medications.” Ex. F, p. 3. Dr. Sood further remarked that, with due regard to the foregoing, he was prescribing Mr. Shapiro medication “given legitimate and significant pain issues.” Ex. F, p. 3. Later, Dr. Sood noted that Mr. Shapiro “has been taking Oxycodone in strictly as prescribed manner and he brings in the leftover medication to be discarded

... the risks/benefits of opioid medications including their dependence producing and addicting potential as also opioid -induced hyperalgesia with high dosages and 1 in 500 risk of death was explained clearly. Once again, he was strongly recommended not to go up on the medications.” Ex. F, p. 5.

The remaining records disclosed on April 13, 2015 provided Mr. Shapiro’s intake forms, or the attending provider’s transcription thereof into the medical record. For American Medical Response Connecticut, relevant excerpts of the records of which are attached hereto as Exhibit G, Mr. Shapiro indicated to the attending EMT that he had was “currently on zoloft for anxiety and has no previous medical Hx.” Ex. G, p. 2. For Bridgeport Hospital, relevant excerpts of the records of which are attached hereto as Exhibit H, the admitting provider’s records indicate under the “Social history” heading that Mr. Shapiro denied drug use. (“Drug use: Denies.”) Ex. H, p. 2.

At Griffin Hospital, relevant excerpts of the records of which are attached hereto as Exhibit I, the admission record for Mr. Shapiro indicates under “Psychosocial History” the following: “What is your primary language: English. Smoking status: Never smoked.” Ex. I, p. 2. Similarly, Huntington Walk-In Clinic, relevant excerpts of the records of which are attached hereto as Exhibit

J, the admission record indicated “Jonathan reports that he has never smoked. He does not have any smokeless tobacco history on file. His alcohol and drug histories are not on file.” Ex. J, p. 1. Physical Therapy of Southern Connecticut, relevant excerpts of the records of which are attached hereto as Exhibit K, similarly indicated under the field “Social HX/Occupation,” that Mr. Shapiro is “unemployed; student PT weight lifting (now modified), jujitsu unable to do.” Ex. K, p. 1. Finally, at Valley Orthopedic, of which relevant excerpts of records are attached hereto as Exhibit L, Dr. Ricoh summarized Mr. Shapiro’s questionnaire in his records by indicating under the entry “Social History,” “Drug use: not using drugs.” Ex. L, p. 1.

On October 26, 2016, pursuant to the defendants’ request and order of the Court, (*Bellis, J.*), Mr. Shapiro sought and produced any additional intake forms from his treating providers.² This additional disclosure included Dr. Sood’s records of Mr. Shapiro’s initial intake form, on which Mr. Shapiro indicated “-” to the “Social” portion of the questionnaire, which concerned

² Any of those intake forms produced on October 26, 2016 that had not been produced previously by Mr. Shapiro were not produced previously because they were not included in the records produced by Mr. Shapiro’s treaters. Plaintiff’s counsel specifically requested any remaining intake forms after defendants’ counsel asked for them at the status conference with Judge Bellis.

“Tob,” tobacco, “ETOH,” alcohol, and “Caffeine.” Ex. F, p. 6. On his intake form from Cofrancesco Chiropractic & Healing Arts, relevant excerpts of which are attached hereto as Exhibit M, Dr. Cofrancesco indicated “N” to “Tobacco” and “Alcohol.” Ex. M, p. 3. For Core Physical Therapy, relevant excerpts of the record of which are attached hereto as Exhibit N, under “Past Medical History/Surgery/Treatment,” Mr. Shapiro’s physical therapist wrote “Depression; Cervical Disc Herniation from MVA on 02/15/2013.” Ex. N, p. 1. Finally, the additional disclosure on October 26, 2016 provided Mr. Shapiro’s intake form for Valley Orthopedic Specialists, and on the questionnaire, Mr. Shapiro indicated “No” to the question “Substance abuse?” Ex. L, p. 4. The next field, which indicates “how often,” was left blank. *Id.*

On November 3 and 4, 2016, after receiving the aforementioned disclosures, counsel for defendants filed several pleadings moving the court, to nonsuit the Mr. Shapiro, grant a continuance for additional deposition of Mr. Shapiro and deposition of his providers and /or deny Mr. Shapiro’s motion to preclude admission of evidence of his prior convictions and uncharged misconduct. *See* Motion for Order, Docket No. 136; Motion for Trial

Continuance, Docket No. 135; Objection to Motion in Limine, Docket No. 141.

Each of the foregoing motions is premised upon the claim that Mr. Shapiro:

failed to disclose and/or affirmatively misrepresented to all of his treating physicians, the fact that he had a past history significant for drug/substance abuse and addiction, including cocaine and heroin use, which now puts into serious question, the validity of any accident-related medical findings/conclusions and projected need for future pain treatment by Plaintiff's doctors, to the extent that the same was premised upon the Plaintiff's subjective claims of pain which the doctors did not know could be equally if not more likely attributable to feigned symptomatology by the Plaintiff to ensure pain medication to meet the Plaintiff's drug addiction needs.

Motion for Order, Docket No. 136, ¶ 9; Motion for Trial Continuance, Docket No. 135, ¶ 9; Objection to Motion in Limine, Docket No. 141, ¶ 9. In addition, defendants sent a "Notice of Recontinued Deposition" to Mr. Shapiro, dated October 31, 2016. On November 9, 2016, Judge Bellis ordered the deposition of Mr. Shapiro's providers for the week of November 16, 2016.

II. Legal Standard

Parties are generally free to notice and compel depositions. Practice Book § 13-26. However, Practice Book § 13-5 provides the following in relevant part:

Upon motion by a party from whom discovery is sought, and for good cause shown, the judicial authority may make any order which justice requires to protect a party from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following: (1) that the discovery not be had

Practice Book § 13-5(1). As the Court has held, “[t]he [trial] court's inherent authority to issue protective orders is embodied in Practice Book § 13-5. . . .

The use of protective orders and the extent of discovery [are] within the discretion of the trial judge. . . .” (Internal quotation marks omitted.) *Cunniffe*

v. Cunniffe, 150 Conn. App. 419, 440 (2014). “Further, the party seeking to bar a deposition bears the burden of showing that there is good cause why the protective order should be issued.” *Babcock v. Bridgeport Hospital*, 251 Conn.

790, 848-49 (1999). Good cause is “a sound basis or legitimate need to take judicial action ... Good cause must be based upon a particular and specific demonstration of fact. *Welch v. Welch*, 48 Conn. Supp. 19, 20 (2003).

III. Argument

Here, justice requires that the court prohibit the defendants from taking additional depositions of Mr. Shapiro to protect him from the embarrassment, oppression and undue burden that would result if, shortly before the

commencement of the trial on November 30, 2016, defendants are permitted to pursue a new, unsupported theory on the basis of information previously well-known and provided to the defendants, and, indeed, testified to at length by Mr. Shapiro.

Defendants intend to depose Mr. Shapiro for a second time in order to

inquire among other things as to the information reflected on the recently disclosed patient intake forms (that were not available at the time of Plaintiff's March 2, 2016 deposition) as to why the Plaintiff failed to disclose, concealed and/or affirmatively misrepresented to his treating doctors this significant past history of drug/substance abuse and addiction, including the use of cocaine and heroin, and whether it was done to ensure his ability to credibly claim accident related pain to acquire pain medication to satisfy his addition [sic] needs.

Motion for Order, p. 6; Memorandum in Support of Motion for Trial Continuance, p. 5. The defendants' arguments, however, are based upon a complete mischaracterization of the facts in the instant matter.

First, defendants wrongfully suggest that the information reflected on the recently disclosed forms was not available at the time of Mr. Shapiro's March 2, 2016 deposition, when, as set forth above, nearly all of the intake documents provided on October 26, 2016 were previously provided to defendants on April

13, 2015, or contained information that was duplicative of records previously provided. On the intake form from Valley Orthopedics, which, it bears emphasis, is the **only** document cited by defendants in any of their motions, Mr. Shapiro indicated “No” to the question “Substance abuse?” and left the corresponding “How often?” field blank. Motion for Trial Continuance, para. 9; Motion for Order, para. 9; Ex. K., p. 4. Defendants claim that this information was not previously available to them, but the April 13, 2015 disclosure provided the records for Valley Orthopedic, which included Dr. Ricoh’s note under “Social History,” “Drug use: not using drugs.” Ex. K., p. 1. Defendants cannot claim that the information reflected on the intake form, disclosed October 26, 2016, was not known to them when Mr. Shapiro disclosed the medical records reflecting the same information on April 13, 2015, nearly a year prior to Mr. Shapiro’s deposition. Here, a protective order is appropriate because the defendants “had a full and lengthy opportunity to conduct discovery after being apprised of the ... issues about which it now seeks a re-deposition.” *Estate of Hodggate v. Ferraro*, 2008 WL 1914687 *7 (Conn. Super. Ct. Apr. 16, 2008).

Second, the defendants cannot claim that Mr. Shapiro failed to disclose, or, as a significantly more serious allegation, concealed his prior drug use from his treating doctors. A review of the records disclosed in this case and attached hereto in relevant part reveals that Mr. Shapiro was asked by all his providers, with the exception of the doctors at Orthopaedic Specialty Group, only about his *current* drug use, if any. The single page cited by defendants, relating to Valley Orthopedic, bears this conclusion. On it, Mr. Shapiro was asked about substance abuse, and then prompted “How often?” Ex. K, p. 4. Again, Dr. Ricoh summarized this entry in his records as “Drug use: not using drugs.” This demonstrates that, like the other “Social History” questions on the form, the patient was prompted to provide a frequency of current use, if any, and that the provider understood the question similarly.

Third, the defendants cannot pursue the claim that Mr. Shapiro filled out his intake forms to “ensure his ability to credibly claim accident related pain to acquire pain medication to satisfy his addition [sic] needs” as this claim is not supported by the record. Motion for Order, p. 6; Memorandum in Support of Motion for Trial Continuance, p. 5. While defendants’ counsel apparently takes issue with the pretrial memorandum prepared by Mr. Shapiro’s counsel, which

calculated the likely cost of Mr. Shapiro's future pain management care, the amount claimed in that memorandum, attached here to as Exhibit O, was calculated solely on the basis of costs of future chiropractic care and neural ablations. See Ex. N. The costs were calculated based only on the projected future costs of Mr. Shapiro's treatments as set forth in Dr. Cofrancesco's and Dr. Sood's disclosed reports, attached hereto as Exhibits P and Q, respectively. See Exs. P, Q. Thus, the claimed costs relate only to chiropractic manipulation of Mr. Shapiro and the insertion of radio frequency needles into his affected nerves, not for any prescription narcotics.

Finally, good cause exists for the court to issue a protective order prohibiting additional deposition of Mr. Shapiro. "Whether or not 'good cause' exists for entry of a protective order must depend on the facts and circumstances of a particular case. To determine whether good cause exists, courts balance 'the need for information against the injury that might result if uncontrolled disclosure is compelled.'" *Davis v. ELRAC, LLC*, 2014 WL 2251603 *2 (Conn. Super. Ct. Apr. 24, 2014)(internal quotation marks and citations omitted). "In ruling on discovery matters, including motions to quash deposition notices and subpoenas, the court is obligated to take a reasoned

and logical approach to the relevant contest between the parties.” *Hackley v. Popp*, 2008 WL 5274439 *3 (Conn. Super. Ct. Nov. 28, 2008)(citations omitted).

Mr. Shapiro would be exposed to embarrassment, oppression, and undue burden should he be compelled to be submit to further unnecessary deposition, particularly given that the defendants had access to the information about which they seek to further depose Mr. Shapiro prior to his March 2, 2016 deposition. First, the subject matter is one that is necessarily sensitive, and Mr. Shapiro has already testified at great length in response to defense counsel’s questioning on the topic of his prior drug use. Second, Mr. Shapiro has already expended the time, and foregone needed employment income, in connection with a full and thorough day of deposition. *See Shapiro Dep.*, p. 10. In light of the real costs to Mr. Shapiro, and the fact that defendants could have previously made any inquiry they currently intend to make at Mr. Shapiro’s March 2, 2016 deposition, good cause exists for the court to prohibit Mr. Shapiro from being further deposed. A protective order precluding a second deposition of Mr. Shapiro is consequently appropriate here because “other remedies, such as no preclusion, or a trial continuance, would prejudice the

defendant's rights." *Estate of Hodgate, supra*, at *8 (internal quotation marks and citation omitted).

For the reasons set forth herein, the Court should grant the Motion for Protective Order and prohibit the defendants from deposing Mr. Shapiro for a second time.

THE PLAINTIFF

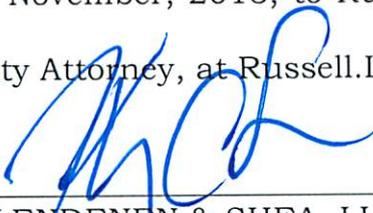
BY



Kevin C. Shea
CLENDENEN & SHEA, LLC
400 Orange Street
New Haven, CT 06502
203/787-1183

CERTIFICATION:

This is to certify that a copy of the foregoing was sent via email this 14th of November, 2016, to Russell D. Liskov, Associate City Attorney, Office of the City Attorney, at Russell.Liskov@bridgportct.gov.



CLENDENEN & SHEA, LLC

Exhibit List

Notice of Recontinued Deposition.....Exhibit A

Deposition Transcript of Jonathan Shapiro..... Exhibit B*

Dr. Perlman Record Excerpts..... Exhibit C*

Dr. Shear Record Excerpts Exhibit D*

Dr. Saffir Record Excerpts Exhibit E*

Dr. Sood Record Excerpts..... Exhibit F*

American Medical Response Record Excerpts.....Exhibit G*

Bridgeport Hospital Record ExcerptsExhibit H*

Griffin Hospital Record Excerpts..... Exhibit I*

Huntington Walk-in Clinic Record Excerpts Exhibit J*

Physical Therapy of Southern Connecticut Record Excerpts..... Exhibit K*

Valley Orthopedic Record Excerpts Exhibit L*

Dr. Cofranceso Record Excerpts Exhibit M*

Core Physical Therapy Record Excerpts Exhibit N*

Pretrial Memorandum..... Exhibit O

Dr. Cofrancesco Report Excerpt..... Exhibit P*

Dr. Sood Report Excerpt.....Exhibit Q*

* Exhibit lodged with the Court under seal pursuant to Practice Book § 7-4C.

Exhibit A

Notice of Recontinued Deposition

RECEIVED

NOV - 3 2016

DOCKET NO.: FBT-CV-15-6048078-S : CLENDENEN & SHEA LLC
SUPERIOR COURT
JONATHAN SHAPIRO : J. D. OF FAIRFIELD
VS. : AT BRIDGEPORT
FRANK DELBOUNO, ET AL : OCTOBER 31, 2016

NOTICE OF RECONTINUED DEPOSITION

PLEASE TAKE NOTICE that the Defendants will take the recontinued deposition of the Plaintiff, Jonathan Shapiro, on Tuesday, November 15, 2016 at 2:00 p.m., at the Office of the City Attorney, 999 Broad Street, Bridgeport, Connecticut, before a competent authority for the purpose of questioning Plaintiff regarding all discovery compliance produced in 2016. The oral examination will continue from day to day. You are invited to attend and cross-examine.

THE DEFENDANT:

BY: 

Lawrence A. Oullette
OFFICE OF THE CITY ATTORNEY
999 Broad Street – 2nd Floor
Bridgeport, CT 06604
Telephone: 203-576-7647
Juris No. 06192

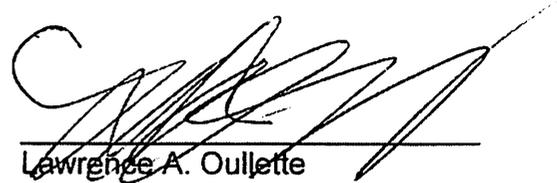
CERTIFICATION

This is to certify that a copy of the foregoing was sent via first-class mail, postage prepaid, on this 31st day of October 2016, to all counsel and pro se parties of record as follows:

Kevin C. Shea, Esq.
Clendenen & Shea, LLC
400 Orange Street
New Haven, CT 06511

And via facsimile to:

Shirley Sambrook
(203) 259-3809



Lawrence A. Oullette

Exhibit O

Pretrial Memorandum

PRETRIAL MEMO

JD-ES-47 Rev. 10-08
 P.B. §§ 14-13, 14-14
 www.jud.ct.gov

INSTRUCTIONS

Each party claiming damages or that party's attorney shall complete Part I below and at the commencement of the pretrial session give a copy to the judge or judge trial referee and to each other party. Attach additional sheets if necessary.

NOTICE: This memo is intended for pretrial purposes only and shall not be construed as an admission against any party.

COURT USE ONLY

PRETMEM



DOCKET NUMBER FBT-CV-15-6048078-S
DATE JULY 26, 2016

PART I (To be completed by attorney/pro se party)

PLAINTIFF JONATHAN SHAPIRO		DEFENDANT #1 FRANK DELBOUNO, JR.	DEFENDANT'S TRIAL COUNSEL RUSSELL D. LISKOV	PHONE NO. 203-576-7647
PLAINTIFF'S TRIAL COUNSEL CLENDENEN & SHEA	PHONE NO. 203-787-1183	DEFENDANT #2 CITY OF BRIDGEPORT	DEFENDANT'S TRIAL COUNSEL RUSSELL D. LISKOV	PHONE NO. 203-576-7647
INTERVENING TRIAL COUNSEL	PHONE NO.	DEFENDANT #3	DEFENDANT'S TRIAL COUNSEL	PHONE NO.
RETURN DATE 1/27/15	DATE CERT. OF CLOSED PLEADINGS FILED 2/27/15	TYPE OF CLAIM VEHICULAR		TRIAL DATE 10/5/2016

HAVE YOU DISCUSSED APPROPRIATE A.D.R. WITH YOUR CLIENT? YES NO

DOES YOUR CLIENT HAVE ANY OBJECTION TO A REFERRAL TO NON-BINDING A.D.R.? YES NO

CLAIM
(e.g. Accident)

DATE AND TIME OF ACCIDENT (if applicable)
Friday, February 15, 2013, at approximately 1:30 p.m.

Defendant Delbouno drove his Bridgeport police cruiser through a red traffic signal, and struck the plaintiff, Jonathan Shapiro's, motor vehicle, causing him serious and permanent injuries. The plaintiff's complaint includes claims of negligence, recklessness and liability under C.G.S. sections 52-557n, 7-465, 7-101a & 52-183.

INTERVENOR'S CLAIM

DAMAGES OR DEMAND
(e.g. Injuries)

NATURE OF DAMAGES OR DEMAND

As a result of said collision, the defendant has caused Mr. Shapiro to suffer the following:
 (a) Neck, back and upper right extremity injuries; (b) Cervical injuries including disc herniation, degeneration, radiculitis, narrowing, disc disorder, cervicalgia; (c) Bi-lateral periscapular injury, pain and radiation; interscapular injury, pain and radiation; and right triceps injury, pain and radiation; (d) Right upper extremity pain and weakness, cubital tunnel syndrome; (e) Thoracic spine injuries including sprain/strain, spasm and stiffness; (f) Lumbar spine injuries including sprain/strain; and (g) Recurrent headaches. As a further result of the defendant's conduct, Mr. Shapiro has suffered severe pain, mental anxiety and emotional distress.

IF APPLICABLE

LAST MEDICAL EXAM May 14, 2015	PERMANENCY OF INJURIES/LIFE EXPECTANCY 7-8% perm. of cervical spine; 5% perm of lumbar spine /48.5 Yrs	AGE OF PARTY 29
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REASON	COST	EXPLANATION
1. Doctor(s)	\$50,041.00	Orthopaedic Specialty Group ((8,353.00); Dr. Carr (3,167.00); Dr. Richo (200.00) PT Southern CT (286.00); Dr. Sood (30,850.00); Dr. Cofrancesco (5,480.00); CORE PT (1,705.00)
2. Hospital(s)	\$6,079.61+	AMR (705.88); Bridgeport Hospital (2,446.00); Advanced Radiology MRI (1,180.00); RS Medical (983.73) TENS rental Huntington Walk-In (268.00) Griffin Hospital E.R. (496.00)
3. Subtotal (Add 1 & 2)	\$56,120.61	
4. Future Medical	\$ 268,800+	Physical Therapy; Cervical radiofrequency neuroablation
5. Wages	LOST WAGES N/A	
	FUTURE CAPACITY TBD	
6. OTHER (Prop. Dam., etc.)	\$5,095.78	Damage to vehicle
7. TOTAL	386,137.00+	Copies of all medical bills and reports have been furnished to the Defendant(s) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

CLAIMS OF LAW
(Include all anticipated evidentiary and procedural problems)

The plaintiff's complaint includes claims of negligence, recklessness and that the defendant City of Bridgeport is liable under to the plaintiff under C.G.S. sections 52-557n, 7-465, 7-101a and 52-183.

IS DISCOVERY COMPLETE? YES NO, IF NO, EXPLAIN:

NAME OF PREPARER Kevin Shea, Esq.	TELEPHONE NO. 203-787-1183	ATTORNEY FOR <i>(Name of party represented)</i> Jonathan Shapiro
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PART II (To be completed by judge or judge trial referee)

COMP. NEGLIG. %	LIABILITY <input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR	PLAINTIFF TO REPORT TO JUDGE OR JUDGE TRIAL REFEREE BY: _____ DEFENDANT TO REPORT TO JUDGE OR JUDGE TRIAL REFEREE BY: _____ TRIAL DATE <i>(if applicable)</i> : _____
DEMAND _____	CHANCE OF SETTLEMENT <input type="checkbox"/> GOOD	
OFFER _____	<input type="checkbox"/> FAIR	
COURT VALUE _____	<input type="checkbox"/> POOR	
EST. LENGTH OF TRIAL _____	JURY SELECTION _____	EVIDENCE _____

PLEADINGS AND EXHIBITS	STATUS OF PLEADINGS EXHIBITS STIPULATED UPON
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OTHER COMMENTS - DEFENDANT'S CLAIMS OF LAW, ETC.

RESULTS OF PRETRIAL

SETTLED
 STIPULATED JUDGMENT
 W/DRAWN
 NONSUIT/DEFAULT PURSUANT TO P.B. 14-3
 CONTINUED TO _____

OTHER: _____

SPECIFY DATE OR NO. OF WEEKS

SIGNED *(Judge/Judge Trial Referee)* _____ DATE _____