

Naramore v Mount Sinai Health Sys., Inc.
2021 NY Slip Op 32686(U)
December 16, 2021
Supreme Court, New York County
Docket Number: Index No. 152989/2020
Judge: Paul A. Goetz
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**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: HON. PAUL A. GOETZ PART 47

Justice

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ANNE NARAMORE,

Plaintiff,

- v -

MOUNT SINAI HEALTH SYSTEM, INC., ANDREW KRAATZ,
KUMAR CHATANI, JOHN DOES/JANE DOES 1 THROUGH
10

Defendants.

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INDEX NO. 152989/2020

MOTION DATE 07/23/2021

MOTION SEQ. NO. 002

**DECISION + ORDER ON
MOTION**

The following e-filed documents, listed by NYSCEF document number (Motion 002) 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 48, 49, 50, 53

were read on this motion to/for DISCOVERY.

A Teams conference was held on December 16, 2021 to address this motion and outstanding discovery. The appearances of counsel were as follows: Michael Kimm and Aaron Shin for plaintiff; Brittany Buccellato for defendants.

With regard to request #1 in plaintiff's second request for documents:

- 1.1- Defendant shall amend response to clarify that all responsive, non-privileged documents in their custody or control have been produced.
- 1.2- Chad Neal- defendant is to produce all responsive documents
- 1.3- Matt Groeba- defendant is to produce all responsive documents
- 1.4- Michael Cignarella – defendant is to produce all responsive documents
- 1.5- Andrew Kraatz- defendant response is sufficient
- 1.6- Kumar Chtani- defendant response is sufficient
- 1.7- “Senior Director”- defendant response is sufficient

Defendant shall search and produce all emails referencing the term “performance review” and any of the individuals in 1.1-1.4.

Request #2: Defendant shall amend response to state that all non-privileged documents in their custody or control have been produced with regard to individuals listed in 1.1-1.4. The response is sufficient with regard to individuals listed in 1.5-1.7.

Request #3: Parties shall work together to define search terms for this request as plaintiff has agreed to narrow request to compensation, benefits, and terms of employment of plaintiff.

Request #4: see #3 above.

Request #5: Defendant shall amend response to state that all non-privileged documents in their custody or control have been produced.

Request #6: : Defendant shall amend response to state that all non-privileged documents in their custody or control have been produced.

Request #7: Defendant shall amend response to state that all non-privileged documents in their custody or control have been produced.

Request #8: Parties shall work together to define search terms for this request as plaintiff has agreed to narrow request to compensation, benefits, and terms of employment of plaintiff.

Request #9: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #10: see #9.

Request #11: Defendant shall amend response to clarify that it has produced the entire document.

Request #12: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #13: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #14: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #15: Defendant shall amend response to state that all non-privileged documents in their custody or control have been produced.

Request #16: Defendant shall amend response to state that all non-privileged documents in their custody or control have been produced.

Request #17: Defendant shall produce any non-privileged documents in its possession custody or control regarding the allegations in paragraph 32 of the complaint.

Request #19: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #20: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #21: Defendant shall amend response to state that all non-privileged documents in their custody or control have been produced.

Request #22: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #23: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #24: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #25: Parties shall work together to define search terms for this request.

Request #26: Parties shall work together to define search terms on the clarified request of plaintiff which seeks all documents related to the analysis performed by plaintiff in August 2018 as allege in paragraph 38 of the complaint.

Request #27: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #28: Parties shall work together to define search terms on the clarified request of plaintiff which seeks all documents related to the analysis performed by plaintiff in August 2018 as allege in paragraph 38 of the complaint.

Request #29: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #30: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #31: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #32: Defendant shall amend response to clarify that it is not in possession or control of responsive documents.

Request #33: Parties shall work together to define search terms for the request which will be narrowed as follows- course material for any legal compliance trainings attended by HR or management overseeing plaintiff's employment.

Request #34: Parties shall work together to define search terms for the request which will be narrowed as follows: records relating to investigation of gender based discrimination since 2015-2019 at the hospital at issue. If there are assertions of privilege, produce privilege log.

Request #35: Parties shall work together to define search terms for the request which will be narrowed as follows: records relating to lawsuits of gender based discrimination since 2015-2019 at the hospital at issue. If there are assertions of privilege, produce privilege log.

Request #36: Defendant shall amend response to state that all such procedures are in the internal handbook and policies previously produced in response to request #21.

Request #37: Defendant shall amend response to state that all non-privileged documents in their custody or control have been produced.

Request #38: Defendant shall amend response to state that all non-privileged documents in their custody or control have been produced.

Request #39: Defendant's response is sufficient.

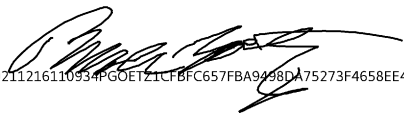
Request #40: Parties shall work together to define search terms for the request which will be narrowed as follows: any independent contractor that was used by defendants to perform any of plaintiff's job duties.

Request #41: Defendant's response is sufficient.

Parties shall meet and confer regarding the required items above within 30 days. Defendants' supplemental production and amended responses will be due 30 days thereafter.

Parties have a previously scheduled status conference on 1-13-22 at 10:30 am on Teams.

SO ORDERED.


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12/16/2021
DATE

PAUL A. GOETZ, J.S.C.

CHECK ONE:	<input type="checkbox"/>	CASE DISPOSED	<input checked="" type="checkbox"/>	NON-FINAL DISPOSITION	
	<input type="checkbox"/>	GRANTED	<input type="checkbox"/>	GRANTED IN PART	<input type="checkbox"/>
	<input type="checkbox"/>	SETTLE ORDER	<input type="checkbox"/>	SUBMIT ORDER	
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	FIDUCIARY APPOINTMENT	<input type="checkbox"/>
			<input type="checkbox"/>	DENIED	OTHER
					REFERENCE