

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

10CV6005(RSW)

Plaintiff,

-against-

DECLARATION OF
BRIAN E. LEE IN
OPPOSITION TO THE
MOTION OF PLAINTIFF
FOR SUMMARY
JUDGMENT AGAINST DR.
ISAKOV

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, SGT FREDERICK SAWYER, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE # 1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown),

Defendants.
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BRIAN E. LEE, declares the following pursuant to 28 USC §1746, under penalty of perjury:

That I am a Member of Ivone, Devine & Jensen, LLP, the attorneys for the defendant ISAK ISAKOV, M.D., and am fully familiar with the facts and circumstances of this action by virtue of a review of the file in my office.

That this Declaration is submitted in opposition to the motion of the plaintiff for summary judgment on certain issues against the defendant ISAK ISAKOV, M.D.

All other papers served in opposition to this motion are being filed under seal as directed by Judge Sweet.

Attached hereto is a true and correct copy of the following Exhibit:

Exhibit A: Excerpts from deposition of Isak Isakov, M.D. on February 12, 2014

Exhibit B: Curriculum Vitae of Frank Dowling, M.D.

WHEREFORE, defendant ISAK ISAKOV, M.D. respectfully requests that the motion of the plaintiff for summary judgment be denied as it pertains to Isak Isakov, M.D.

Dated: Lake Success, New York
February 11, 2015

Yours, etc.,

IVONE, DEVINE & JENSEN, LLP

/s/ Brian E. Lee

By:

BRIAN E. LEE (9495)
Attorneys for Defendant
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