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VIA ELECTRONIC MAIL

May 25, 2016

Andrew L. Schlafly, Esq.
939 Old Chester Rd.
Far Hills, New Jersey 07931

Re: ***AM. BD. OF INTERNAL MED. V. JAIME SALAS RUSHFORD, M.D.***
Civil Action No. 2:14-cv-06428-KSH-CLW
United States District Court for the District of New Jersey

Dear Mr. Schlafly:

This firm represents plaintiff/counterclaim defendant the American Board of Internal Medicine and third-party defendants Richard Baron, M.D., Christine K. Cassel, M.D., Lynn O. Langdon, Eric S. Holmboe, M.D., David L. Coleman, M.D., Joan M. Feldt, M.D., and Naomi P. O'Grady, M.D. (collectively, "ABIM") in the above referenced case.

Under cover dated May 5, 2016, defendant Jamie A. Salas Rushford, M.D. was reminded that, although he filed his counterclaims [Dkt. No. 33] on September 22, 2015, he has failed to comply with his own discovery obligations in a fundamental respect: he neither has supplemented his required *Rule 26(a)* initial disclosures to provide "a computation of each category of damages claimed by [defendant,]" nor has he made "avaialbe for inspection and copying as under *Rule 34* the documents or other evidentiary material . . . on which each computation is based, including materials bearing on the nature and extent of injuries suffered[.]" *Fed. R. Civ. P. 26(a)(1)(A)(iii)*. That letter also requested that defendant supplement his initial disclosures within fourteen days of the date of that letter to include the computation and documents required by *Rule 26(a)(1)(A)(iii)*, together with any other initial disclosures that likewise may be lacking.

It is now 20 days after our May 5, 2016 letter and we have received neither an acknowledgement of defendant's *Rule 26* obligations nor defendant's updated *Rule 26(a)* disclosures in respect of his counterclaims. Please note that, if those mandatory disclosures are not in hand by the close of business tomorrow, May 26, 2016, we will not be able to complete defendant's deposition on May 31, 2016 and, hence, he will be required to return to complete his deposition. Please also note that we will bring defendant's failure to comply with his *Rule 26* obligations to the attention of the Court.

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We trust that defendant's immediate compliance with his well-overdue *Rule 26(a)* obligations will make these latter steps unnecessary

Very truly yours,

BALLARD SPAHR LLP

By: 
Roberto A. Rivera-Soto