UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

10CV6005(RSW)

Plaintiff,

-against-

NOTICE OF MOTION FOR SUMMARY JUDGMENT

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 BROSCHART, 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),

D	efendants.	
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PLEASE TAKE NOTICE, that upon the annexed Declaration of Brian E. Lee, the affidavit of ISAK ISAKOV, M.D., the accompanying Memorandum of Law, and the exhibits

attached hereto, defendant ISAK ISAKOV, M.D., by his attorneys, IVONE, DEVINE &

JENSEN, LLP, will move this Court before the Hon. Robert W. Sweet, at 500 Pearl Street,

New York, New York on January 22, 2015, at 12:00 noon, or as soon thereafter as counsel

can be heard, for an Order granting the defendant ISAK ISAKOV, M.D. summary

judgment dismissing all of the federal claims pleaded against this defendant, pursuant to

Rule 56 of the Federal Rules of Civil Procedure upon the ground that there is no "state

action" providing jurisdiction for this Court; for a further order granting summary

judgment dismissing the claim pleaded for intentional infliction of emotional distress, and

for an Order declining to exercise supplemental jurisdiction over plaintiff's pendent state

law claims; and for such other and further relief as may be just and proper

Pursuant to the briefing schedule, opposition papers are due January 15, 2015 and

reply papers by January 22, 2015.

Dated: Lake Success, New York December 22, 2015

Yours, etc.,

IVONE, DEVINE & JENSEN, LLP

/s/ Brian E. Lee

By:

BRIAN E. LEE (9495) Attorneys for Defendant ISAK ISAKOV, M.D. 2001 Marcus Avenue, Suite N100 Lake Success, New York 11042 (516) 326-2400

TO:

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SCOPPETTA SEIFF KRETZ & ABERCROMBIE Attorneys for Defendant STEVEN MAURIELLO 444 Madison Avenue, 30th Floor New York, NY 10022 (212) 371-4500 Attn: Walter Kretz, Jr., Esq.

CALLAN, KOSTER, BRADY & BRENNAN, LLP Attorneys for Defendant DR. LILIAN ALDANA-BERNIER 1 Whitehall Street New York, NY 10004-2140 (212) 248-0115

MARTIN, CLEARWATER & BELL, LLP Attorneys for Defendant JAMAICA HOSPITAL MEDICAL CENTER 220 East 42nd Street New York, NY 10017-5842 (212) 697-3122 Attn: Gregory Radomisli, Esq.

Attn: Paul Callan, Esq.