

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 13-20847-CIV-Martinez/McAliley

SARAH ALEXANDRA BARDLEY KIRBY

Plaintiffs,

vs.

CARNIVAL CORPORATION,
DR. STEVE SARIS,
DR. ALLA SIMOVSKYKH
PRICILLA ISAACS
AUDREY MINARDI
DR. JOHN/JANE DOE
NURSE JOHN/JANE DOE

Defendants.

DEFENDANT, CARNIVAL CORPORATION'S, EXHIBIT LIST

Defendant, Carnival Corporation ("Carnival" or "Defendant"), by and through the undersigned counsel, and pursuant to this Court's Order Resetting Calendar Call and Trial Date (DE 72) and the applicable Federal and Local Rules of Civil Procedure, hereby serves its Exhibit List, attached hereto.

Dated: March 21, 2014
Miami, Florida

Respectfully submitted,

FOREMAN FRIEDMAN, PA

BY: /s/ Tyler J. Tanner, Esq.
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CASE NO. 13-20847-CIV-Martinez/McAliley

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 21, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to electronically receive Notices of Electronic Filing.

BY: /s/ Tyler J. Tanner, Esq.
Tyler J. Tanner, Esq.

SERVICE LIST

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DEFENDANT, CARNIVAL CORPORATION'S, EXHIBIT LIST

1. Records of Plaintiff's alcohol purchases during the subject cruise, including sail and sign records and receipts of Plaintiff's alcohol purchases. **(EXPECTED TO OFFER)**.
2. Carnival's policies, procedures and training materials regarding the service of alcohol. **(EXPECTED TO OFFER)**.
3. Statement of Facts Man Overboard. **(EXPECTED TO OFFER)**.
4. Man Overboard Checklist. **(EXPECTED TO OFFER)**.
5. U.S. Coast Guard Report of Marine Accident, Injury or Death Form. **(EXPECTED TO OFFER)**.
6. Carnival Destiny Position Report. **(EXPECTED TO OFFER)**.
7. Any and all documents indicating the ships position and movements on the evening and morning of the subject incident. **(EXPECTED TO OFFER)**.
8. Videos of Plaintiff during the subject cruise, including video of Plaintiff falling overboard, video of Plaintiff when she was being brought back onto the ship, and video of Plaintiff giving a statement to Defendant following the subject incident. **(EXPECTED TO OFFER)**.
9. Videos and statements of Plaintiff broadcast in news media following the subject cruise. **(MAY OFFER IF NEEDED)**.
10. Witness statement of Plaintiff. **(MAY OFFER IF NEEDED)**.
11. Witness statement of Rebecca Johnson. **(MAY OFFER IF NEEDED)**.
12. Witness statement of David Bamford. **(MAY OFFER IF NEEDED)**.
13. Witness statement of Randall Zambory. **(MAY OFFER IF NEEDED)**.

14. Diagram and/or model of the ship, Carnival Destiny. **(EXPECTED TO OFFER).**

15. Plaintiff's Passenger Ticket Contract, including any and all Terms and Conditions. **(EXPECTED TO OFFER).**

16. Guest Special Services Medial Form signed by Plaintiff, dated October 21, 2012. **(EXPECTED TO OFFER).**

17. Any and all documentation received by Plaintiff for the subject cruise. **(MAY OFFER IF NEEDED)**

18. Any and all records of Plaintiff's medical conditions and treatment received before and after the incident alleged in the Complaint. **(MAY OFFER IF NEEDED)**

19. Any and all documents regarding Plaintiff's employment, including but not limited to all documents received in discovery, all documents received pursuant to subpoena, and all documents and employment records from Calusa Veterinary Center, Inc., 2101 NW Corporate Boulevard, Suite 400, Boca Raton, FL 33431. **(MAY OFFER IF NEEDED).**

20. Any and all documents relating to Plaintiff's income, including but not limited to tax returns from before and after the subject incident. **(MAY OFFER IF NEEDED)**

21. Any and all demonstrative aids (a) used or to be used at any deposition in this case, (b) relied upon by any of Carnival's experts in this case and/or (c) pertaining to any of the liability and damages issues in this case (may be viewed at defense counsel's offices by appointment at a mutually convenient day and time). **(MAY OFFER IF NEEDED)**

22. Deposition Transcript of Plaintiff Sarah Kirby and any and all deposition exhibits. **(MAY OFFER IF NEEDED)**

23. Deposition Transcript of David Bamford and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

24. Deposition Transcript of Rebecca Johnson and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

25. Deposition Transcript of Carnival's Corporate Representative, Captain Giuseppe Giusa, and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

26. Deposition Transcript of Carnival's Corporate Representative, R. Edward Allen, and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

27. Deposition Transcript of Chris Shryock and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

28. Deposition Transcript of Lisa Gibson and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

29. Deposition Transcript of Roger Doyle and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

30. Deposition Transcript of Dr. Jennifer Paul and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

31. Deposition Transcript of Dr. Leonid Remenson and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

32. Deposition Transcript of Dr. Raul Rodriguez and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

33. Deposition Transcript of Dr. Ryan Shadis and any and all deposition exhibits. **(MAY OFFER IF NEEDED).**

34. Deposition Transcript of Dr. Scott Walker and any and all deposition exhibits.

(MAY OFFER IF NEEDED)

35. Deposition Transcript of William Skye and any and all deposition exhibits. **(MAY**

OFFER IF NEEDED)

36. Deposition Transcript of Dr. Jorge A. Herrera and any and all deposition exhibits.

(MAY OFFER IF NEEDED).

37. Deposition Transcript of Mark Willingham and any and all deposition exhibits.

(MAY OFFER IF NEEDED).

38. Deposition Transcript of Randall Jaques and any and all deposition exhibits.

(MAY OFFER IF NEEDED).

39. Shipboard Medical Records. **(MAY OFFER IF NEEDED).**

40. Medical Records from the following medical providers **(MAY OFFER IF NEEDED):**

- a. Dr. Leonid Remenson
5350 W. Atlantic Ave. Suite 106,
Delray Beach, FL 33484
- b. Dr. Ella Remenson
5350 W. Atlantic Ave. Suite 106,
Delray Beach, FL 33484
- c. Dr. Nanette Vitale
5350 W. Atlantic Ave. Suite 106,
Delray Beach, FL 33484
- d. Dr. Jennifer Bilot
Delray Center for Healing
120 S.E. 4th Avenue
Delray Beach, FL 33483
and/or
Delray Center for Healing
403 S.E. 1st Street
Delray Beach, FL 33483

- e. Dr. Raul Rodriguez
Delray Center for Healing
403 S.E. 1st Street
Delray Beach, FL 33483

- f. Dr. Jennifer Paul
Delray Center for Healing
403 S.E. 1st Street
Delray Beach, FL 33483

- g. Dr. Linda Hunter
Association for Community Counseling
4731 W. Atlantic Avenue, Suite B-13
Delray Beach, Fl 33445

- h. Care Ambulance
Box 530481
Atlanta, GA 30353-0481
and/or
4050 Southmeadow Parkway West
Atlanta, GA 30349

- i. Lower Keys Medical Center
5900 College Rd.
Key West, FL 33040

- j. Air Methods
P.O. Box 713375
Cincinnati, OH 45271-3375
and/or
1200 South Pine Island Road
Plantation, FL 33324

- k. Jackson Health System
1611 NW 12th Ave.
Miami, Florida 33136-1096

- l. University of Miami Hospital
P.O. Box 9800
Palm Harbor, FL 34682
and/or
1320 South Dixie Highway
Suite 1200
Coral Gables, FL 33146

- m. Southernmost Emergency Physicians
P.O. Box 37782
Philadelphia, PA 19101-5082
and/or
5900 College Road
Key West, FL 33040-4342

- n. Daniela Mayer, M.D.
6080 Boynton Beach Boulevard
Suite 220
Boynton Beach, FL 33437
and/or
9030 Kimberly Blvd
Boca Raton, FL 33434

- o. Kaiser Foundation Health Plan, Inc.
1600 Pauahi Tower
1003 Bishop Street
Honolulu, HI 96813

- p. Sharon A. Mazzola, M.D.
Primary Care Associates
5317 West Atlantic Avenue
Delray Beach, FL 33484

- q. Walgreen Company
1201 Hayes Street
Suite 105
Tallahassee, FL 32301

- r. CVS Pharmacy Inc.
1200 South Pine Island Road
Plantation, FL 33324

- s. Bascom Palmer Eye Institute
7101 Fairway Drive
Palm Beach Gardens, FL 33148

- t. Scott Walter, MD
Bascom Palmer Eye Institute
7101 Fairway Drive
Palm Beach Gardens, FL 33148

- u. Victor Perez, MD
Bascom Palmer Eye Institute
7101 Fairway Drive

Palm Beach Gardens, FL 33148

v. Jaffe Eye Institute, PA
5130 Linton Blvd.
Suite D1
Delray Beach, FL 33484

w. Norman S. Jaffe, MD
Jaffe Eye Institute, PA
5130 Linton Blvd.
Suite D1
Delray Beach, FL 33484

THE FOLLOWING EXHIBITS MAY ALSO BE OFFERED IF NEEDED:

41. Any and all exhibits, documents, or other evidence listed or referenced in the Plaintiff's Witness and Exhibit Lists and not objected to by the Defendant.

42. Any and all documents produced by Defendant in response to the Plaintiff's Requests for Production and not objected to by the Defendant.

43. Any and all documents produced by the Plaintiff in response to Defendant's Requests for Production and not objected to by the Defendant.

44. Any and all documents referenced in Defendant's Answers to the Plaintiff's Interrogatories.

45. Any and all documents referenced in the Plaintiff's Answers to Defendant's Interrogatories and not objected to by the Defendant.

46. Any and all exhibits used or attached in depositions taken in the instant matter.

47. Any and all statements, sworn or otherwise, of the Plaintiff taken or to be taken in the present action or in any other action.

48. Any and all records, including, but not limited to: medical records, consultation records, diagnostic records, examination records, treatment records, physician notes, office memoranda, charts, any and all correspondence, CT Scan films, records and reports, diagnostic

test records and reports, EEG records and reports, EKG records and reports, lab records and reports, MRI films, records and reports, X-ray films, records and reports, and any and all bills, invoices, statements, or other documentation on amounts owed or paid (regardless of the source of payment) relating to the consultation, diagnosis, examination, and/or treatment of the Plaintiff as a result of injuries at issue in the present action by all medical providers and physicians identified by either party in discovery to date, and the Records Custodians of these respective medical providers and physicians.

49. Any and all materials relied on by the experts in this action, including but not limited to authoritative texts, journals and/or articles related to damages and/or liability.

50. Any and all records and documentation, including, but not limited to: applications for employment, references provided upon application for employment, resumes provided upon application for employment, reports or other documentation on performance evaluations or appraisals (whether formal or informal), reports or other documentation on employee disciplinary matters, reports or other documentation on employee absenteeism or tardiness, reports or other documentation on employee training or education, reports or other documentation on employee illness and/or injury (whether sustained in the course of employment or not), reports or other documentation on employee termination or resignation, office memoranda, and any and all correspondence or documents contained in the Plaintiff's personnel files maintained by past and present employers.

51. Any and all photographs and/or videos of the Plaintiff.

52. Impeachment exhibits.

53. Exemplary exhibits.

54. Any and all reports produced by all experts named in this action and not objected to by the Defendant.

55. Any and all documents issued from Defendant to the Plaintiff and not objected to by the Defendant.

56. Any and all documents issued from the Plaintiff to the Defendant and not objected to by the Defendant.

57. Any and all surveillance exhibits.

58. Anatomical models of the human body.

59. Any and all photographs and/or diagrams of the subject vessel(s).

60. Any and all government issued certificates regarding the subject vessel(s).

61. Any and all mortality tables.

62. Articles, texts, and treatises regarding life expectancy for persons with Plaintiff's medical conditions.

Carnival reserves the right to add any exhibits or other evidence revealed subsequent to the filing of this Exhibit List. All documents and exhibits are believed to be in the possession of the Plaintiff or will be made available to the Plaintiff for inspection upon reasonable notice at a mutually convenient date and time. The inclusion of any exhibit on this list does not compel Carnival to use said exhibit(s) at the time of trial. Carnival reserves the right to delete or add any exhibits from this list at any time. Moreover, discovery and investigation are continuing, therefore, Carnival reserves the right to supplement and/or amend this exhibit list with other exhibits, which may be located and/or identified at or before the time of trial.