

EXHIBIT 'A'

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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DOMINIQUE SHARPTON,

Index No.: 154284/2015

Plaintiff,

-against-

**SECOND
SUPPLEMENTAL
VERIFIED BILL OF
PARTICULARS**

THE CITY OF NEW YORK, THE CITY OF NEW YORK
S/H/A THE NEW YORK CITY DEPARTMENT OF
TRANSPORTATION, THE CITY OF NEW YORK S/H/A THE
NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Defendants.

-----X
Plaintiff, DOMINIQUE SHARPTON, by her attorneys, ELEFTERAKIS,

ELEFTERAKIS & PANEK, as and for a Second Supplemental Verified Bill of Particulars, sets
forth as follows:

3. The following injuries were caused, aggravated, accelerated, precipitated and/or
enhanced as a result of defendants' negligence:

Right Ankle:

- **Right ankle arthroscopy with extensive debridement and synovectomy, chondroplasty of the talar dome, removal of loose body from ankle joint, modified Brostrom ATFL repair, performed by Dr. Gianni Persich on January 19, 2016;**
- **Autologous bone marrow cell therapy with bone marrow aspirate concentrate (BMAC) injection to the right ankle, performed by Debra Ibrahim, D.O., on June 15, 2015;**
- Anterior talofibular ligament tear;
- Posterior talofibular ligament tear;
- Anterior syndesmosis and interosseous ligament tears;
- Tear of the deltoid ligament;
- Joint effusion;
- Partial tear of the peroneus longus tendon;
- Partial tear of brevis tendon;
- Tenosynovitis of the medial flexor tendons;
- Contusion of the superolateral talar dome;
- Synovitis;
- Osteochondritis dissecans, talar dome;

- Loose body in joint;
- Impingement of the lateral fibula;
- Impingement of the medial malleolus;
- Permanent post-surgical scarring;
- Pain;
- Swelling;
- Internal derangement;
- Impingement syndrome;
- Sprain/Strain;
- Marked restriction in range of motion;
- Muscle spasms;
- Need for future physical therapy;
- Need for future pain management;
- Need for future orthopaedic care;
- Need of future neurological care;
- Need for future surgery of the right ankle, including arthroscopy, repair and/or total joint replacement, *inter alia*.

As a result of the above injuries, plaintiff suffers from persistent pain to the right ankle curtailment of the range of motion of the right ankle, loss of function, loss of strength, aggravation, exacerbation and precipitation of a pre-existing latent and asymptomatic degenerative condition, all with involvement of the surrounding soft tissues, nerve endings, blood vessels, muscles, tendons and ligaments, all with resultant pain, deformity and disability.

The injuries the plaintiff sustained have the potential to have exacerbated, aggravated, accelerated and/or otherwise enhanced a latent, asymptomatic and/or degenerative condition, and have the potential to have increased plaintiff's susceptibility for injury due to such a condition.

The foregoing injuries directly affected the bones, tendons, tissues, muscles ligaments, nerves, blood vessels and soft tissue in and about the involved areas.

Associated and concomitant impairments and negative effects upon plaintiff's pre-accident enjoyment of life, day-to-day existence, activities, functions, employment and involvements.

Limitation, diminution and/or effect of functions, activities, vocation, avocation and all other activities in which the plaintiff engaged prior to the underlying accident.

Inability to resume pre-accident social relations, contacts and participation.

Associated pains, disabilities, discomforts, impairments, impediments, limitations of function and activities.

Restriction and limitation of motion and pain on motion and possible loss of use of the above mentioned parts, atrophy, anxiety and mental anguish; and all having substantially prevented this plaintiff from enjoying the normal fruits of activities, social, educational and economical.

These injuries have increased the probability of arthritic conditions as well as increased probability of injury due to decreased strength.

Upon information and belief the effects of plaintiff's injuries (with the exception of those, if any, of a superficial and/or transitory nature) are considered to be of a permanent and/or long lasting nature, and same are continuing to cause measurable diminution of integrity in the use and motion of traumatized involved parts and soft tissue structures, and are continuing to adversely affect and impair plaintiff feeling of well-being, general physical condition and all of her daily physical activities.

All of the above injuries, upon information and belief are permanent in that plaintiff suffers associated tearing of muscles, ligaments and tendons and healing of these structures with scarring and nerve root irritation, recurrent pain and restriction of motion with exacerbation and remissions and significant residual disabilities and limitations.

Said injuries have directly and indirectly adversely affected the nerves, tissue, blood vessels, blood supply, muscles, ligaments, cartilages, tendons, bones and soft parts in and about the sites of the above described areas of injury, including the central nervous systems, muscular system and skeletal system.

Additionally, with advancing years, there will be naturally and medically related complications and exacerbations that will lead to the need for surgical intervention.

Plaintiff, to her detriment, will continue to sustain permanent loss and impairment of her physical and mental health and will continue to need physical therapy and medical care indefinitely.

Plaintiff will continue to sustain loss, impairment, impediment, diminution and retardation of the enjoyment of life.

As a result of the above, plaintiff has become unable to perform her usual and daily activities and will in the future be unable to perform her usual daily activities and employment.

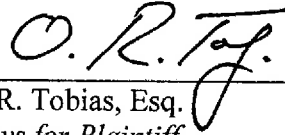
All of the aforementioned injuries, resulting disabilities and involvements, are associated with further soft tissue injury to areas traumatically affected, including injury, tearing, derangement and damage to the associated muscle groups, ligaments, tendons, blood vessels and blood supply, spinal connective and nerves and nerve tissue, epithelial tissue, soft tissue, all concomitant to the specific injuries and related to the many portions mentioned herein-above, with resultant pain, deformity and disability, stiffness,

tenderness, weakness and partial restriction and limitation of motion and pain on motion and possible loss of use of the above mentioned parts, atrophy, anxiety and mental anguish.

PLEASE TAKE FURTHER NOTICE that Plaintiff reserves her right to amend and/or supplement the above responses, if and when additional information becomes available.

Dated: New York, New York
July 27, 2016

Yours etc.
ELEFTERAKIS, ELEFTERAKIS & PANEK



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Index No.: 154284
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Year 2015

DOMINIQUE SHARPTON,

Plaintiff,

-against-

THE CITY OF NEW YORK, THE CITY OF NEW YORK S/H/A THE NEW YORK CITY
DEPARTMENT OF TRANSPORTATION, THE CITY OF NEW YORK S/H/A THE NEW
YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION,

Defendants.

**SECOND SUPPLEMENTAL VERIFIED BILL OF PARTICULARS and
MEDICAL EXCHANGE**

ELEFTERAKIS, ELEFTERAKIS & PANEK

Attorneys for Plaintiff(s)

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To

Attorney(s) for

Service of a copy of the within

is hereby admitted

Dated:

Attorney(s) for

ELEFTERAKIS, ELEFTERAKIS & PANEK

Attorneys for Plaintiff(s)

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