

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 27 2011 ★

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EARL GREGORY,

Plaintiff,

ORDER BROOKLYN OFFICE

11-CV-4895 (NGG) (RER)

-against-

CITY OF NEW YORK; JOHN DOE 1 through 4,
NYC Correction Officers, related to incident # 1,
JOHN DOE 5 through 8, related to incident # 2
individually and in their official capacities (the names
John Doe being fictitious, as the true names are presently
unknown),

Defendants.

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NICHOLAS G. GARAUFGIS, United States District Judge.

On December 9, 2011, Plaintiff Earl Gregory filed a request for a pre-motion conference ("PMC") in anticipation of moving to change venue to the United States District Court for the Southern District of New York, the district where all the events at issue in this case are asserted to have occurred. (Docket Entry # 5.) On December 21, 2011, Defendant City of New York ("City") moved by letter for an indefinite extension of time to respond to Gregory's complaint pending resolution of Gregory's forthcoming motion to change venue. (Docket Entry # 6.) In its letter motion, the City added that it would not oppose a change of venue.

Given the posture of the parties, there is not need for a pre-motion conference and no need for further submissions regarding change of venue. The court construes Gregory's PMC request as motion to change venue, and the City's letter as consent to the motion. The motion is accordingly GRANTED.


Because the parties agree that this case has no connection to the Eastern District of New

York and a strong connection to the Southern District of New York, the court finds it in the interest of justice to transfer this case to the United States District Court for the Southern District of New York. See 28 U.S.C. § 1404(a).

SO ORDERED.

Dated: Brooklyn, New York
December 23, 2011

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS 
United States District Judge