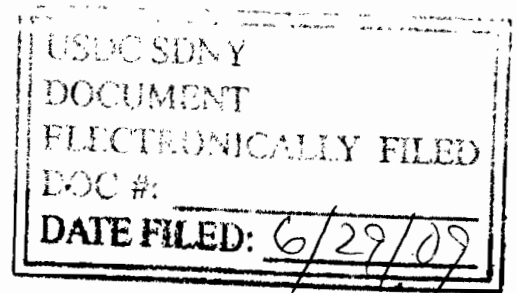


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



ALAN NEWTON,

Plaintiff,

- against -

THE CITY OF NEW YORK, et al.,

Defendants.

ORDER

07 Civ. 6211

SHIRA A. SCHEINDLIN, U.S.D.J.:

On June 17, 2009, plaintiff moved for leave to file an amended complaint, which named thirteen additional defendants. At defendants' request, this Court will hold the motion in abeyance until resolution of the two pending motions for summary judgment. Plaintiffs' motion for leave to file an amended complaint tolls the statute of limitations with regard to the newly-named plaintiffs. *See, e.g., Moore v. State of Indiana*, 999 F.2d 1125 (7th Cir. 1993). If any portion of this case survives summary judgment, defendants must file their opposition within two weeks of this Court's decision. Plaintiff will then have one week to file a reply.

Newton v. The City of New York et al

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SO ORDERED:


Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
June 26, 2009

- Appearances -

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