

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#:  
DATE FILED: 12/22/2016

BERNARD W. GOONEWARDENA,

Plaintiff,

v.

STATE OF NEW YORK WORKERS  
COMPENSATION BOARD, *et al.*,

Defendants.

No. 09-CV-8244 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

For the reasons stated during today's conference, the Court adopts Magistrate Judge Pitman's February 9, 2016 Report and Recommendation in its entirety. The Clerk of Court is respectfully directed to close the motion pending at Docket Number 122.

To conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ordered that the parties must discuss whether they are willing to consent to conducting all further proceedings before Judge Pitman. If both parties consent to proceed before Judge Pitman, counsel for Defendants must submit a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form by January 3, 2017. If the Court approves that form, all further proceedings will then be conducted before Judge Pitman rather than before me. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be from this Court if the consent form were not signed and so ordered. If either party does not consent to conducting all further proceedings before Judge Pitman, the parties must file a joint letter by January 3, 2017 advising the Court that the parties do

not consent, but without disclosing the identity of the party or parties who do not consent. The parties are free to withhold consent without negative consequences.

SO ORDERED.

Dated: December 22, 2016  
New York, New York



\_\_\_\_\_  
Ronnie Abrams  
United States District Judge