

U.S. Department of Justice



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

September 17, 2010

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BY FACSIMILE

Hon. Laura Taylor Swain
United States District Judge
United States Courthouse
500 Pearl Street, Room 755
New York, New York 10007

MEMO ENDORSED

Re: Molchatsky v. United States
09 Civ. 8697 (LTS)(AJP)

Dear Judge Swain:

We write respectfully on behalf of the United States, the defendant in the above-referenced action brought pursuant to the Federal Tort Claims Act, to seek an adjournment of the initial pre-trial conference presently scheduled for October 8, 2010, until at least ten days after the Court has resolved the United States' motion to dismiss this case for lack of subject matter jurisdiction. The Court previously granted the parties' request to stay the Joint Pretrial Statement requirement in this matter pending the Court's resolution of the United States' motion to dismiss, which is now fully briefed, and has granted the parties' three prior requests for adjournment of the conference. Plaintiffs object to the instant request for adjournment.

We respectfully submit that the requested adjournment will serve the interest of judicial economy, and we also request the adjournment on the ground that counsel for the Government has a scheduling conflict with regard to the October 8th date.

We thank the Court for its consideration of this request.

Respectfully,

PREET BHARARA
United States Attorney

[Handwritten Signature]

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The conference is adjourned to December 10, 2010, at 10:00 AM.

SO ORDERED.

[Handwritten Signature]

LAURA TAYLOR SWAIN

NEW YORK, NY
Sep 21, 2010 UNITED STATES DISTRICT JUDGE