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April 13, 2016

**BY ECF & EMAIL**  
**(Talia Nissimyan@nysd.uscourts.gov)**

Honorable Robert W. Sweet  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Schoolcraft v. Jamaica Hospital Medical Center, et al.  
10-CV-6005 (RWS)

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing the motion respondent City of New York (the "City"), in connection with the above-captioned matter.

I write to respectfully request an adjournment of the oral argument date in this matter currently set for April 28, 2016, to a date after May 1, 2016, for the following reasons. Beginning April 22, 2016 for the observance of Passover and continuing throughout the following week during the public school break, the undersigned counsel will be on a family vacation. The vacation was pre-planned and pre-paid, and involves travel out of state from April 24 through May 1, 2016. Plaintiff consents to an adjournment of the oral argument date, but requests that the oral argument occur on May 3 or May 4, 2016. The City's counsel is available for oral argument on those dates.

However, the plaintiff's letter application of April 11, 2016 to strike the Declaration and Audit Report of Judith Bronsther also affects the schedule. Should the Court choose to treat the letter as a letter motion under Local Rule 7.1(d), the City respectfully requests that the Court set a briefing schedule on the motion as follows. The default briefing schedule would be 14 days under Local Rule 6.1(b), which would fall on April 25, during the City's counsel's vacation. The City believes that an adjournment is reasonable to allow the full 14 days to be available for a response, accounting for the vacation (i.e., until May 5). Plaintiff consents to a due date of May

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3, 2016 for the City's response to the motion, but does not consent to an oral argument date after May 4, 2016. As a compromise, the City would agree to a responsive filing date of May 3, but the City wishes that there be sufficient time for the Court to review the response prior to the oral argument on both motions.

The City accordingly respectfully requests that the Court set a due date for the City's response to the plaintiff's motion to strike and an oral argument date that will allow sufficient time for the Court to review the City's response to the motion prior to oral argument on both pending motions, while taking into account counsel's unavailability as requested above.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/

Alan H. Scheiner  
Senior Counsel  
Special Federal Litigation Division

cc: All counsel by ECF