

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JEREMY LEBEWOHL, UNCLE ABIES DELI  
INC. d/b/a 2<sup>nd</sup> AVE DELI, UNCLE ABIES DELI  
ON FIRST INC., and UNCLE ABIES DELI  
SANDWICH TRADEMARKS LLC,

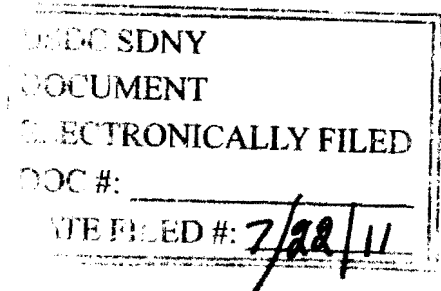
CIVIL ACTION NO: 11-CIV-3153-LAK

Plaintiffs,

v.

HEART ATTACK GRILL LLC, HAG LLC, and  
JON BASSO,

Defendants.



Consent Scheduling Order

Upon consent of the parties, it is hereby

ORDERED as follows:

1. No additional parties may be joined after July 31, 2011.
2. No amendments to the pleadings will be permitted after August 31, 2011.
3. The parties shall make required Rule 26(a)(2) disclosures with respect to:
  - (a) expert witnesses on or before October 10, 2011;
  - (b) rebuttal expert witnesses on or before November 1, 2011.
- 4A. All discovery, including any depositions of experts, shall be completed on or before November 22, 2011.
- 4B. The Parties shall participate in mediation in an effort to resolve this case no later than December 15, 2011.

5. A joint pretrial order in the form prescribed in Judge Kaplan's individual rules shall be filed on or before December 23, 2011.
6. No motion for summary judgment shall be served after the deadline fixed for submission of the pretrial order. The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pretrial order on time.
7. If any party claims a right to trial by jury, proposed voir dire questions and jury instructions shall be filed with the joint pretrial order.
8. Each party or group of parties aligned in interest shall submit not less than ten (10) days prior to trial (a) a trial brief setting forth a summary of its contentions and dealing with any legal and evidentiary problems anticipated at trial, and (b) any motions in limine.
9. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. Counsel should not assume that extensions will be granted as a matter of routine.

**JUDGE CROTTY**

Dated:

*Megellan NY*  
*July 21, 2011*

*Lewis A. Kaplan*

Lewis A. Kaplan  
United States District Judge

*Part 1*

CONSENTED TO:

*William W. Chuang*  
/William Chuang/

William W. Chuang, Esq.  
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Attorneys for Plaintiffs

Date: July 15, 2011

*Robert C. Kain, Jr.*  
/Robert Kain/  
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Date: July 14, 2011