



BOSTON CONNECTICUT FLORIDA NEW JERSEY NEW YORK PROVIDENCE WASHINGTON, DC

September 16, 2022 oral argument is VACATED.
SO ORDERED.

Dated: 9/7/2022

A handwritten signature in black ink that reads 'P. Kevin Castel'.

P. Kevin Castel
United States District Judge

ELIZABETH J. SHER
Attorney at Law

One Jefferson Road
Parsippany, NJ 07054-2891
T: (973) 966-8214 F: (973) 210-8535
esher@daypitney.com

September 6, 2022

VIA ECF

The Honorable P. Kevin Castel
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: CBF Industria De Gusa, S/A, et al., v. AMCI Holdings, Inc., et al.,
Case No. 13 -cv-2581 (PKC) (JLC)

Dear Judge Castel:

Pursuant to Rule 1(B) of Your Honor's Individual Practices, we write jointly with counsel for the Defendants to request a brief adjournment of the September 16, 2022 date set for oral argument on the parties' cross-motions for summary judgment (*see* ECF # 607) to early October 2022. This is the only currently scheduled conference or hearing before the Court, and no prior adjournments of this date have been requested.

The reason for the requested adjournment is that counsel for the parties who will be arguing the motion have previously scheduled obligations on September 16, 2022. Plaintiffs' counsel has a long-planned family vacation in Montreal, Canada scheduled for September 14-18. Defendants' counsel has a one-week arbitration starting the next business day on September 19, 2022, has witness preparation sessions scheduled for September 14 and 15, and anticipates scheduling further witness preparation on September 16, 2022.

Counsel for the parties are available for oral argument on October 3, 6, 7, 12, 13, 14, 17, and 18, 2022, and respectfully request an adjournment to one of those dates. The parties do not anticipate that this adjournment will impact any deadlines in the scheduling order, all of which are contingent on this Court's ruling on the summary judgment motions.



The Honorable Kevin P. Castel
September 6, 2022
Page 2

Respectfully submitted,

DAY PITNEY LLP

MANDEL BHANDARI LLP

By: /s/ Elizabeth J. Sher
Elizabeth Sher
One Jefferson Street
Parsippany, NJ 07054-2891
Tel: (973) 966-8214
Fax: (973) 210-8535
Counsel for Plaintiffs

By: /s/ Robert Glunt
Robert Glunt
80 Pine Street, 33rd Floor
New York, New York 10005
Tel.: (212) 269-5600
Fax.: (646) 964-667
Counsel for Defendants