

seal, upon the completion of briefing; and (3) guidance as to related page limits.

WHEREAS, the parties in each case filed pre-motion letters in anticipation of motions for summary judgment and motions to exclude experts and Plaintiffs in each case filed responsive letters to Defendant's pre-motion letters.

WHEREAS, a pre-motion conference is scheduled for May 13, 2021, to discuss the parties' anticipated motions. It is hereby

ORDERED that the pre-motion conference scheduled for May 13, 2021, is **CANCELLED**. It is further

ORDERED that the parties' briefing schedule for any motions to exclude experts (14 Civ. 10101, Dkt. No. 338; 15 Civ. 2144, Dkt. No. 350) is **ADJOURNED sine die**. The parties may not file any motions to exclude experts at this time. To the extent a party relies upon an expert opinion in its motion for summary judgment, the opposing party may argue that the Court should disregard the expert opinion and provide an explanation as to why. However, any such argument must be made within the allotted pages for the parties' cross motions for summary judgment, outlined below. Further, any such argument is separate from any *Daubert* motion, which addresses what opinions the jury will hear. It is further

ORDERED that the parties in each case shall brief their summary judgment motions without regard to the other case. The previously ordered briefing schedule is **AMENDED** and the parties shall brief their proposed cross motions for summary judgment in each above-captioned case according to the following schedule:

- By **June 15, 2021**, Defendant shall serve its opening brief, not to exceed twenty-seven (27) pages;
- By **July 13, 2021**, Plaintiffs shall serve their opening/responsive briefs, not to

exceed thirty-six (36) pages;

- By **August 10, 2021**, Defendant shall serve its responsive/reply brief in each case, not to exceed twenty-eight (28) pages; and
- By **August 24, 2021**, Plaintiffs shall serve their reply briefs, not to exceed nineteen (19) pages.

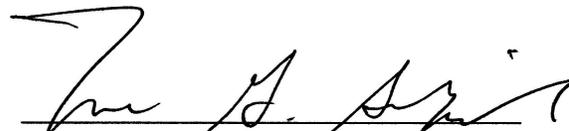
It is further

ORDERED that, notwithstanding the aforementioned page allocations, the parties may reallocate the page numbers as they deem appropriate, so long each “side” in each case does not exceed fifty-five (55) pages of briefing in total. The parties shall otherwise comply with the Court’s Individual Rules, and if in effect, the Emergency Individual Rules and Practices in light of COVID-19. It is further

ORDERED that, the parties shall serve the motion papers by the deadlines set forth above, and on **September 3, 2021**, shall file the motion papers on the docket, along with any request to file any materials under seal.

The Clerk of Court is respectfully directed to close the motion at 15 Civ. 2144, Dkt. No. 422.

Dated: May 11, 2021
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE