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February 26, 2020

VIA ECF

The Honorable Valerie E. Caproni
United States District Court for the
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

Re: Phoenix Light SF Ltd., et al. v. The Bank of New
York Mellon Corp., No. 14-cv-10104 (S.D.N.Y.)

Dear Judge Caproni:

In accordance with the Order entered on February 13, 2020 (ECF No. 325) in the above-referenced action, Defendant The Bank of New York Mellon (“BNYM”) respectfully submits this request for the adjournment of the March 3, 2020 oral argument and hearing. Plaintiffs consent to this request. This is the first request for the adjournment of this conference, which BNYM seeks due to the availability of counsel and an out-of-state witness. BNYM has confirmed witness and plaintiffs’ availability and seeks to reschedule this oral argument and hearing on March 26 or 27 or April 22, 28, or 29. Plaintiffs have requested to depose BNYM’s witness ahead of the hearing, and the parties are in the process of discussing this request.


Application GRANTED in part. The Court will adjourn the hearing, but not oral argument. Oral argument remains scheduled for March 3, 2020, at 1:30 p.m. The hearing is scheduled for **April 22, 2020, at 2:00 p.m.**

Respectfully submitted,

/s/ Matthew D. Ingber
Matthew D. Ingber

If counsel are unavailable on March 3 for oral argument, then the Parties must propose three mutually convenient dates to the Court when counsel are available before March 13.

SO ORDERED.


2/26/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE