

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STATE OF NEW YORK <i>ex rel.</i> VINOD KHURANA, et	:	:
al.,	:	:
	:	:
Plaintiffs,	:	15-CV-6605 (JMF)
	:	:
-v-	:	<u>ORDER</u>
	:	:
SPHERION CORP. (N/K/A SFN GROUP, INC.),	:	:
	:	:
Defendant.	:	:
	:	:
-----X		:


JESSE M. FURMAN, United States District Judge:

In an Order entered June 30, 2020, the Court reserved judgment on “whether and to what extent issues of liability and damages should be bifurcated during the forthcoming bench trial” pending review of the parties’ pretrial submissions. ECF No. 194. To aid the Court, the parties were ordered “to clearly and prominently identify any witness whose testimony relates *solely* to damages.” *Id.* The parties identified only one such witness: Plaintiff’s expert, Dr. Mark R. Killingsworth. *See* ECF Nos. 201-2, 201-3.

In light of the foregoing, and as an exercise of its authority over case management, the Court will not formally bifurcate liability and damages (and, thus, will hear from witnesses with testimony relevant to both only once), **except** that the Court will defer hearing the testimony of Dr. Killingsworth (and, relatedly, resolving the pending motion regarding his testimony) until it has made a preliminary determination on the issue of liability.

SO ORDERED.

Dated: October 9, 2020
New York, New York



JESSE M. FURMAN
United States District Judge