

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
SGM HOLDINGS LLC, RICHARD FEATHERLY,
LAWRENCE FIELD, PREMIER NATURAL RESOURCES
LLC, and SYNDICATED GEO MANAGEMENT
CORPORATION,

Plaintiffs,

-v-

A JAMES ANDREWS, RICHARD GAINES, and KARL
SCHLEDWITZ,

Defendants.

CIVIL ACTION NO.: 15 Civ. 8142 (PAC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On January 11, 2024, non-party James T. Hughes Jr. (“Mr. Hughes”) filed a letter stating that, on October 23, 2023, plaintiff Lawrence Field (“Mr. Field”) assigned to Mr. Hughes “all of [Mr. Field’s] claims against the Defendants” in this action. (ECF No. 147 at 1 (the “Letter”). On January 31, 2023, construing the Letter as a motion under Federal Rule of Civil Procedure 25(c) for Mr. Hughes to be substituted for Mr. Field as a Plaintiff in this action based on the assignment (the “Substitution Motion”), the Court ordered that any opposition to the Substitution Motion shall be filed by February 14, 2024, and that Mr. Hughes’ reply, if any, shall be filed by February 21, 2024. (ECF No. 151 ¶¶ 1–2 (the “Jan. 31 Order”).

On February 9, 2024, Defendants filed a letter stating that they “do not oppose Mr. Hughes[’] entry as an assignee/plaintiff for Mr. Field provid[ed] they have an opportunity to depose him and challenge the assignment prior to discovery cutoff if they believe it is warranted.” (ECF No. 155 at 1 (“Defendants’ Response”). Defendants also claim, without citation or other

support, that the “[d]iscovery cutoff in this matter is April 9, 2024, with summary judgment motions due 30 days thereafter.” (Id.)

As the parties are well aware, fact discovery closed on March 16, 2022 and expert discovery closed on April 29, 2022. (ECF No. 61 ¶¶ 5, 7). The parties already filed summary judgment motions (ECF Nos. 95; 102), which the Honorable Paul A. Crotty resolved on September 25, 2023. (ECF No. 118). On December 13, 2023, the Court permitted very specific additional discovery, limited to Plaintiffs’ production of attorney Daniel Schulman’s billing records (to be completed by January 31, 2024, with rolling productions every 30 days thereafter for services performed after that date) and the continued deposition of Charles Stephenson (to be completed by February 29, 2024). (ECF No. 140 ¶ 1 (the “Dec. 13 Order”)). “All other requests for discovery, including expert discovery, [were] DENIED for failure to establish good cause.” (Id. ¶ 2 (citing Fed. R. Civ. P. 16(b)(4))). Accordingly, Defendants’ reference to an April 9, 2024 discovery deadline is incorrect. The Dec. 13 Order also did not permit any party to renew or otherwise file a motion for summary judgment.

Pursuant to the Jan. 31 Order, Mr. Hughes shall file his reply to Defendants’ Response by

February 21, 2024.

Dated: New York, New York
February 12, 2024

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge