

**HOGUET NEWMAN  
REGAL & KENNEY, LLP**

One Grand Central Place  
60 East 42nd Street, 48th Floor  
New York, New York 10165

Tel 212.689.8808  
Fax 212.689.5101  
www.hnrklaw.com

ilipton@hnrklaw.com

October 10, 2022

**VIA ECF**

Hon. George B. Daniels  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

SO ORDERED:

*George B. Daniels*  
George B. Daniels, U.S.D.J.

Dated: **OCT 12 2022**

**Re: CIDNY et al. v. MTA et al., No. 17-2990-cv**

Dear Judge Daniels:

We represent the Transit Defendants and write with Plaintiffs' counsel to respectfully request an extension of the discovery schedule, and a corresponding modification of the briefing schedule for supplemental dispositive motion practice. This is the sixth request for an extension of discovery since this matter was returned to the District Court.

Since our last status report, the parties have completed all outstanding fact discovery and Transit Defendants have served a supplemental expert report. Plaintiffs intend to serve a rebuttal report and the parties wish to take depositions of one another's experts. Counsel are of the view that additional time is needed to compete the expert phase of discovery to allow sufficient time following the close of expert discovery to submit dispositive papers, while allowing for the Holidays. Accordingly, the parties respectfully request that the Court approve the revised schedule set forth below:

<b>Event</b>	<b>Current Deadline</b>	<b>Proposed Extension</b>
Fact discovery deadline	Complete	N/A
Supplemental expert reports served	Complete	N/A
Rebuttal reports served	October 26, 2022	November 23, 2022
Expert deposition deadline	November 4, 2022	December 9, 2022
Opening briefs	November 23, 2022	January 6, 2023
Opposition briefs	December 16, 2022	January 27, <del>2022</del> 2023
Reply briefs	January 6, <del>2022</del> 2023	February 17, 2023

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We thank the Court in advance for its consideration.

Respectfully submitted,



Ira J. Lipton

cc: All counsel of record (*via ECF*)