

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
NEW YORK WHEEL OWNER LLC, et al.,	:	
	:	
Plaintiffs,	:	
	:	17-CV-4026 (JMF)
-v-	:	
	:	<u>ORDER</u>
MAMMOET HOLDING B.V., et al.,	:	
	:	
Defendants.	:	
	:	
-----X	:	

JESSE M. FURMAN, United States District Judge:

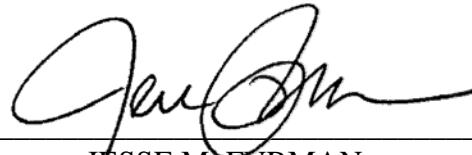
Having reviewed the parties’ joint letter, the Court is inclined to think that motion practice will indeed be necessary to sort out the implications of the unfortunate realization that there is not complete diversity in this case after all. Prior to any motion practice, however, the parties shall appear for a telephone conference on **October 28, 2020, at 3:00 p.m.** to discuss the matter and next steps. Counsel shall confer in advance of the conference and be prepared to address at the conference: (1) a briefing schedule and structure; (2) what effect the lack of diversity has on the Court’s prior rulings in this matter; (3) whether, even if the Court could entertain some of the claims in the case, it would make more sense to adjudicate all claims in a single forum; and (4) whether there would be a basis to impose fees, costs, or other sanctions on New York Wheel Owner LLC (or its present or former counsel) for the failure to discover the lack of complete diversity sooner and/or for the erroneous allegations in the original complaint.

The conference will proceed in accordance with Rule 2(A) of the Court’s Emergency Individual Rules and Practices in Light of COVID-19, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>. The parties should join the conference by calling the Court’s dedicated

conference line at (888) 363-4749 and using access code 542-1540, followed by the pound (#) key. (Members of the public and press may also attend using the same dial-in information; they will not be allowed to speak during the conference.) As stated in Rule 2(C)(ii) of the Court's Emergency Individual Rules and Practices in Light of COVID-19, **no later than 24 hours before the conference**, the parties shall email the Court a list of counsel who may speak during the teleconference and the telephone numbers from which counsel expect to join the call.

SO ORDERED.

Dated: October 23, 2020
New York, New York



JESSE M. FURMAN
United States District Judge