## CLEARY GOTTLIEB STEEN & HAMILTON LLP

WASHINGTON, D.C.

PARIS

BRUSSELS

LONDON

FRANKFURT

COLOGNE

MOSCOW

WASHINGTON, D.C.

N

WASHINGTON, D.C.

N

LONDON

LONDON

BRUSSELS

LONDON

LON

One Liberty Plaza

New York, NY 10006-1470

T: +1 212 225 2000

F: +1 212 225 3999

clearygottlieb.com

D: +1 212 225 2284 tkessler@cgsh.com ROME
MILAN
HONG KONG
BEIJING
BUENOS AIRES
SÃO PAULO
ABU DHABI

November 4, 2021

The Honorable Barbara C. Moses Daniel Patrick Moynihan United States Courthouse 500 Pearl Street New York, NY 10007-1312

## MEMO ENDORSED

Re: <u>DoubleLine Capital, LP v. CNO S.A., No. 17-cv-4576-GHW-BCM</u>

Dear Judge Moses:

We represent CNO S.A., Odebrecht Engenharia E Construção S.A. and Odebrecht S.A. - Em Recuperação Judicial (collectively, the "<u>Defendants</u>" and together with the plaintiffs in the above-captioned action (the "<u>Plaintiffs</u>"), the "<u>Parties</u>") in the above-captioned action. Pursuant to paragraph 2.A of this Court's Individual Rules of Practice, we write to respectfully request that the Court adjourn the settlement conference scheduled for November 15, 2021. *See* ECF No. 187. This is the fourth request for an adjournment of the settlement conference, and Plaintiffs do not contest this request.

Given that Your Honor recently extended deadlines related to fact discovery by four months in the *Second Amended Civil Case Management Plan and Scheduling Order*, ECF No. 202, we respectfully request that the Court grant a commensurate adjournment of the settlement conference to allow the conference to occur after the close of fact discovery. We have sought guidance from Your Honor's Chambers and understand that the Court may be available the week of March 28, 2022.

Respectfully submitted

/s/ Thomas S. Kessler
Thomas S. Kessler

Application GRANTED. The settlement conference is hereby ADJOURNED to March 28, 2022, at 2:15 p.m. SO ORDERED.

Rahaters

Barbara Moses

United States Magistrate Judge November 4, 2021

Cc: All counsel of record (via ECF)

<sup>1</sup> As reflected in our letter of September 23, 2021, the Parties have engaged in preliminary settlement discussions, and expect to continue those discussions when and as appropriate. *See* ECF No. 189.