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February 5, 2020

**VIA ECF**

The Honorable Vernon S. Broderick  
United States District Judge  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 415  
New York, New York 10007

**Re: Abdelsayed v. NYU, Case No. 1:17-cv-09606-VSB-KHP**

The Honorable Vernon S. Broderick:

Per Paragraph 11 of the Case Management Plan (Doc. No. 27), Plaintiff George Abdelsayed and Defendants New York University, NYU Langone Medical Center, NYU School of Medicine, and NYU Langone Hospital-Brooklyn f/k/a NYU Lutheran Medical Center submit this joint status letter in connection with the post-discovery conference scheduled for February 14, 2020.

**Discovery.** The parties have completed fact and expert discovery.

**Settlement.** The parties mediated through the Court's Alternative Dispute Resolution Program. The mediation was unsuccessful. The parties do not wish to engage in further settlement discussions and would like to proceed with dispositive motion briefing.

**Dispositive Motion Briefing.** The parties have agreed to and respectfully propose the following dispositive motion briefing schedule:

- April 14, 2020 (60 days after post-discovery conference): deadline for Defendants' motion for summary judgment and Defendants' motion to exclude testimony of Dr. Susan Williams (Plaintiff's medical expert)
- June 13, 2020 (60 days after Defendants' motion for summary judgment): deadline for Plaintiff's opposition to Defendants' motion for summary judgment and Plaintiff's opposition to Defendants' motion to exclude testimony of Dr. Susan Williams
- July 13, 2020 (30 days after Plaintiff's opposition to Defendants' motion for summary judgment): deadline for Defendants' reply to Plaintiff's motion for summary judgment opposition

The parties also plan on filing motions to exclude the expert witnesses on damages: Dr. Steven Shapiro (Plaintiff's damages expert) and Dr. Charlie Diamond (Defendants' damages expert). Since their testimony goes to damages and not liability and thus has no bearing on summary judgment, the parties have agreed to and respectfully propose that briefing on these motions to exclude take place after the Court's summary judgment ruling.

In light of the parties' agreement on the above, they respectfully request a termination of the post-discovery conference but understand that the Court may still require their appearances on February 14. If the Court does require the parties' appearances on February 14, the parties respectfully request an adjournment to a date and time that is convenient for the Court. Anjanette Cabrera (attorney for NYU) has a medical procedure on February 14. In addition, Stephen Stecker (attorney for NYU) has a medical procedure on February 13 that will require recovery on February 14.

Thank you for Your Honor's consideration of the above.

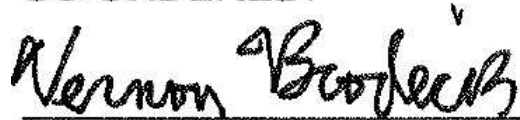
Respectfully submitted,

/s/ Lauren Goldberg  
Lauren Goldberg

/s/ Anjanette Cabrera  
Anjanette Cabrera

Application granted in part and denied in part. The Post-Discovery Conference scheduled for February 14, 2020 is adjourned sine die. The parties are directed to meet and confer and file a status update no later than February 14, 2020, informing the Court as to whether the parties will consent to proceed before Magistrate Judge Parker for all purposes.

**SO ORDERED:**



**HON. VERNON S. BRODERICK** 2/6/2020  
**UNITED STATES DISTRICT JUDGE**