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May 10, 2022

By ECF

Hon. Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: George Benn v. City of New York, et al., 18 Civ. 722 (LAP)

Your Honor:

I am a Senior Counsel in the New York City Law Department, attorney for defendants Captain Delroy Morrison, Correction Officer Xavier McNeil, Correction Officer Matthew Landow, Correction Officer Jonathen Powell, Correction Officer Jermain Phillips, and Correction Officer Gordon Noel in the above-referenced action. I write to respectfully request an extension of time until Friday, May 13 to submit the parties' status letter proposing trial dates. Plaintiff consents to this request.

As the Court is aware, on February 28 Your Honor issued an Order scheduling this matter for trial commencing June 13 or June 14 subject to the availability of courtrooms. However, the Court's Order of May 5 directed the parties to propose trial dates. Moreover, on May 9, I was informed by plaintiff's counsel that plaintiff is no longer available for trial that week. On June 13 plaintiff is obligated to appear in New York County Criminal Court, and on June 15 plaintiff is obligated to appear in New Jersey Family Court. Accordingly the parties expect that the trial will have to be adjourned. I have been calling the six defendants to discuss their availability and expect to have spoken to all of them by Friday, May 13.

I thank the Court for its consideration herein.

Respectfully submitted,

/s/ Christopher G. Arko

Christopher G. Arko
Senior Counsel

*Trial shall commence on
July 25 at 10:00 in Courtroom 12A.*

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA

SOUTHERN DISTRICT JUDGE

cc: Richard S. Blye
Attorney for Plaintiff

5/11/22