

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| INTL FCStone Markets, LLC, | : | |
| | : | <u>ORDER</u> |
| Plaintiff, | : | |
| v. | : | 18-cv-1004 (AKH) |
| | : | |
| Intercambio Mexicano de Comercio S.A. de C.V., | : | |
| | : | |
| Defendant. | : | |
| | : | |
| ----- | X | |

ALVIN K. HELLERSTEIN, U.S.D.J.:

On October 4, 2023, I held a conference between the parties, prompted by Plaintiff's Rule 37 motion to compel answers to Requests for Admission filed on October 3, 2023, the previous day. I determined that I could decide the motion on Plaintiff's papers alone. The motion posed considerable opportunities for needless excuses and delay, and after hearing argument at the conference, I rejected all of Plaintiff's requests except for Question 13, a general question eliciting a general denial. I cured the issue by requiring Plaintiff to ask the question again in more specific terms.

The Defendant now moves for reconsideration, even though it won the motion, and argues that it was not given proper time to oppose the decision. The motion for reconsideration of a motion already won is frivolous, and I deny it.

The dates for briefing on summary judgment remain the same. ECF No. 128 is terminated.

SO ORDERED.

Dated: October 19, 2023
 New York, New York

 /s/ Alvin K. Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge