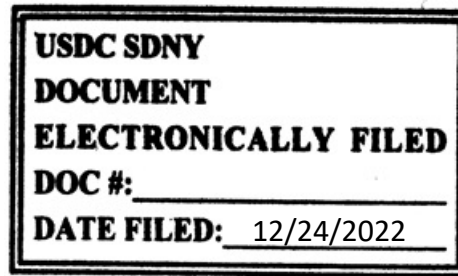


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December 23, 2022

VIA ECF

Honorable Stewart D. Aaron
 United States Magistrate Judge
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, NY 10007

Request GRANTED. No later than January 16, 2023, the parties shall file a joint letter regarding any remaining disputes with respect to ESI, including document collection and search terms. If the parties are unable to agree on the wording of a joint letter, they shall file separate letters by the same date. SO ORDERED.

Dated: 12/24/2022

Re: *Kairam v. Westside GI, LLC*
Docket Number 1:18-cv-1005 (AT) (SDA)

Dear Judge Aaron:

This firm represents Defendants Westside GI, LLC (“WSGI”) and Drs. Peter Distler and Ricardo Pou (collectively, the “Defendants”) in the above-referenced action.

Since the Court’s last Order, dated December 13, 2022 (ECF No. 275), Defendants have continued to make progress in collecting potentially relevant communications from custodians within WSGI, with data collection from individual Board Members largely complete.

In an effort to resolve disputes between the parties as to ESI search terms, Defendants’ ESI vendor ran the majority of Plaintiff’s proposed search terms through the data collected to date. Defendants provided Plaintiff with the hit counts for those searches. Earlier today, the parties held a nearly one-hour meet-and-confer to discuss the results of that search and areas in which search terms could be amended to limit the number of non-responsive communications collected. The parties agreed that Defendants would run these searches (with slight modifications) along with Defendants’ previously proposed searches once data collection is complete, at which point the Parties would further meet-and-confer as to remaining ESI search term disputes.

In light of the Parties’ ongoing efforts to resolve, or at least limit, disputes related to ESI search terms, Defendants respectfully request an extension of the Parties’ deadline to file letter(s) detailing those disputes that cannot be resolved. Specifically, Defendants respectfully request that

the Court extend the Parties' deadline to file the requested letters until January 16, 2023.¹ This extension will allow the Parties to complete the process set forth above. As indicated above, Defendants' counsel has discussed this requested extension at length with counsel for Plaintiff, who provided consent for Defendants' counsel to represent that she had no objections.

Thank you for your consideration of this matter.

Respectfully submitted,

GORDON REES SCULLY
MANSUKHANI, LLP

Jeffrey Camhi

Jeffrey A. Camhi, Esq.

cc: Attorneys of Record (via ECF)

¹ Defense counsel is scheduled to meet with Mt. Sinai, WSGI's institutional Board member, on January 9, 2023 regarding data collection. The adjournment until January 16, 2023 would allow counsel to conduct that meeting and for the Parties to meet-and-confer on any related issues prior to making their submission(s).