

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHAKIRA DAWSON et al.	:	
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Plaintiffs,	:	18-CV-1044 (JMF)
	:	
-v-	:	<u>ORDER</u>
	:	
ROBERT JOHNSON et al.,	:	
	:	
Defendants.	:	
	:	
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JESSE M. FURMAN, United States District Judge:

On November 30, 2022, the City of New York and the New York City Police Department filed motions, pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, in both this case and *Johnson v. Dawson et al.*, No. 18-CV-4083 (JMF) (which has been consolidated with this case) to dismiss the operative Complaints against them and NYPD Police Officer John Doe. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Given that the other Defendants have until December 19, 2022, to file motions to dismiss, *see* ECF No. 88, it is hereby ORDERED that Plaintiffs shall not respond to the City’s and NYPD’s motions at this time. Instead, Plaintiffs shall wait and file any amended complaints, responding to all motions to dismiss, by **January 9, 2023**. Pursuant to Paragraph 1.B of the Court’s Individual Rules and Practices in Civil Cases, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>, any amended complaints should be filed with a redline showing all differences between the original and revised filing. Plaintiffs will not be given any further opportunity to amend to address issues raised by any filed motions to dismiss.

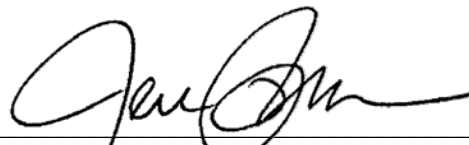
If Plaintiffs do amend, by three weeks after any amended complaint is filed, each Defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF

stating that it relies on any previously filed motion to dismiss. If a Defendant files an answer or a new motion to dismiss, the Court will deny its previously filed motion to dismiss, if any, as moot. If a Defendant files a new motion to dismiss, any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

If no amended complaint is filed, Plaintiffs shall file any opposition to the motions to dismiss by **January 9, 2023**. Unless and until the Court orders otherwise, each Plaintiff shall file a consolidated opposition to all motions to dismiss his/her claims. Defendants' replies, if any, shall be filed by **January 17, 2023**. Finally, the initial pretrial conference, currently scheduled for January 11, 2023, is ADJOURNED *sine die*.

SO ORDERED.

Dated: December 1, 2022
New York, New York



JESSE M. FURMAN
United States District Judge