



APPLICATION GRANTED
SO ORDERED Ver Ben
VERNON S. BRODERICK
U.S.D.J. 12/1/2021

The stay is extended until January 11, 2022, but the parties are informed that no further extensions of the stay will be granted.

GEORGIA M. PESTANA
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

BRIAN FRANCOLLA
Senior Counsel
Phone: (212) 356-3527
bfrancol@law.nyc.gov

November 30, 2021

VIA ECF

Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Jarzette Jacobs Administrator of Estate of Jah'Lire Nicholson et al. v. City, et al.,
18-CV-3275 (VSB)

Your Honor:

I am a Senior Counsel in the Office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, representing defendants City of New York, Police Officer Daniel Decario, and Police Officer Djafar Tsaabbast in the above-referenced matter. Defendants write respectfully on behalf of the parties to advise the Court of the status of this action and request that the stay be extended until January 11, 2022.

The parties have made progress since their last status report on September 30, 2021. In that regard, plaintiffs' counsel has advised me that they expect to be in a position to furnish their expert report within two weeks. Upon receipt, I will review it for purposes of determining whether defendants are interested in pursuing settlement. Due to the complexity of this matter, the size of the evidentiary record and the holiday season, my expectation is that I will be able to complete that process on or before January 11, 2022. The parties therefore request permission to provide a status report on that date. We expect that by that date we will be in a position to either explore meaningful settlement discussions or have the stay removed and proceed with the remainder of discovery.

Thank you for your consideration herein.

Respectfully submitted on behalf of the parties,

GEORGIA M. PESTANA
Corporation Counsel of the City of New York
Attorney for Defendants City, Decario, and Tsabast
100 Church Street, 3rd Floor
New York, New York 10007
(212) 356-3527

By: */s/ Brian Francolla*
Brian Francolla
Senior Counsel

CC: VIA ECF
Gabriel Paul Harvis
Baree Nichole Fett
Elefterakis, Elefterakis & Panek
Plaintiffs' Counsel
80 Pine Street, 38th Floor
New York, New York 10005
(212) 532-1116

CC: VIA ECF
Jeffrey Adam Rothman
Plaintiffs' Counsel
305 Broadway, Suite 100
New York, New York 10007
(212) 227-2980