

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE KAYO CORP.,

Plaintiff,

-against-

FILA U.S.A., INC.,

Defendant.

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**ORDER REGULATING  
PROCEEDINGS**

18 Civ. 3981 (AKH)

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

Because of the COVID epidemic in New York City, completion of the last phase of discovery, and the trial of this case, was adjourned, at the parties' request, until the Fall of 2021. (Joint letter of May 7, 2020, ECF 80). The case can now be scheduled for a speedy resolution.

The bench trial will not be bifurcated. However, since the parties seem to entertain widely differing conceptions of damages, the court will benefit by an early evaluation of proofs of damage.

The following schedule will apply:

1. Discovery of Fila's 2020 financial results that are relevant to the issues, and updating of experts' reports, shall be completed by November 12, 2021. Simultaneous filing of the parties' briefs, discussing their proofs of damages, shall take place by November 12, 2021.

2. Argument of damages issues, and scheduling of Final Pre-Trial Conference and of trial, will be held at 2:30 p.m., November 23, 2021 at 500 Pearl Street, Courtroom 14D, New York, NY.

SO ORDERED.

Dated: September 30, 2021  
New York, New York

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