K. et al v. United Behavioral Health et al Doc. 69

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD K. and JULIE K., *individually and as guardians of* K.K., *a minor*,	:	
Plaintiffs,	:	18 Civ. 6318 (JPC) (BCM)
-v-	:	ORDER
UNITED BEHAVORIAL HEALTH and OXFORD HEALTH INSURANCE OF NEW YORK / PPO,	:	
Defendants.	:	

JOHN P. CRONAN, United States District Judge:

As discussed at the status conference held earlier today, and with the agreement of the parties, the second cause of action in the Amended Complaint is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2).

In addition, and as also discussed at the conference, the Court sets the following briefing schedule for a "summary trial on a stipulated administrative record." *See Burke v. PriceWaterHouseCoopers LLP Long Term Disability Plan*, 572 F.3d 76, 78 (2d Cir. 2009); *see also O'Hara v. Nat'l Union Fire Ins. Co. of Pittsburgh, PA*, 642 F.3d 110, 116 (2d Cir. 2011). The parties shall file opening briefs by January 19, 2024. Opposition briefs are due by February 9, 2024. After reviewing the submissions, the Court will advise the parties in the event it believes oral argument would be appropriate.

The Clerk of the Court is respectfully directed to lift the stay of this case, which was imposed on July 15, 2019. *See* Dkt. 52.

SO ORDERED.

Dated: November 15, 2023
New York, New York

JOHN P. CRONAN
United States District Judge

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