



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MOSHE WAGH,

Plaintiff,

- against -

ROBERT L. WILKIE, JR., *in his official  
capacity as Secretary of Veteran Affairs*

Defendant.  
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18-CV-7726 (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

The parties have filed their pre-trial order. Accordingly, the Court will schedule a date for trial. Pandemic conditions, however, have caused a temporary suspension of and backlog in jury trials; upon resumption of jury trials, criminal trials will take precedence over civil trials. Accordingly, if the parties agree, they may consent to a bench trial. The parties should meet and confer and file a joint letter informing the Court by March 1, 2021 whether they consent to a bench trial. If the parties do not agree, they should not inform the Court which party disagreed. If the parties do so agree, they shall propose at least three alternative weeks for which they are available for trial to take place in April or May. If the parties do not consent to a bench trial, the Court will submit a request to schedule a jury trial. In such event, the earliest a jury trial likely would occur would be July 2021 or, more likely, later in 2021.

SO ORDERED.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
February 16, 2021

Copies transmitted this date to all counsel of record.