



HON. SYLVIA HINDS-RADIX  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, N.Y. 10007

AMANDA ROLON  
Assistant Corporation Counsel  
phone: (212) 356-2356  
fax: (212) 356-3509  
email: arolon@law.nyc.gov

April 15, 2022

**VIA ECF**

Honorable Stewart D. Aaron  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Robert Ortiz v. Police Dept. of the 25th Precinct, et al.,  
19 Civ. 3522 (LJL) (SDA)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia Hinds-Radix, Corporation Counsel of the City of New York, and the attorney representing defendants Detective Raymond Low, Detective Gregory Carty, Detective Xavier Reynoso, and Detective Manuel Cordova (collectively, "City defendants") in the above-referenced matter. City defendants write to respectfully request that the Court: (1) compel plaintiff to produce, by a date certain, properly executed HIPPA-compliant medical releases for each of plaintiff's healthcare providers; and, (2) grant the parties an enlargement of time to complete fact discovery, from April 18, 2022 until forty-five days after receipt of the aforementioned medical releases. This enlargement request is being submitted without plaintiff's position as recent efforts to communicate with plaintiff have been unsuccessful.

By way of relevant background, on April 18, 2019, plaintiff proceeding *pro se*, initiated the instant action alleging, *inter alia*, that New York City police officers falsely arrested plaintiff. (ECF No. 1.) On August 16, 2021, counsel for plaintiff appeared in this action. (ECF No. 98.) On January 7, 2022, this Court granted the parties an extension of time to complete fact discovery, from February 18, 2022 to April 18, 2022. (ECF No. 110.) Simultaneously therewith, our office resolved representation of the individual defendants Reynoso, Cordova, and Low; and, on March 14, 2022 an Answer was filed on their behalf. (ECF Nos. 111, 112.) On March 14, March 25, and April 4, the undersigned requested a meet and confer with lead counsel to discuss, among other things, plaintiff's outstanding medical releases. On April 4, 2022, the undersigned also left a voice message with plaintiff's counsel.

To date, plaintiff has neither responded to the undersigned's inquiries or provided the necessary medical releases. Furthermore, in light of the missing documentation pertaining to plaintiff's alleged injuries, the parties have not been able to proceed with depositions. Given the foregoing, City defendants respectfully request that the Court: (1) compel plaintiff to produce, by a date certain, properly executed HIPPA-compliant medical releases for each of plaintiff's healthcare providers; and, (2) grant the parties an enlargement of time to complete fact discovery, from April 18, 2022 until forty-five days after receipt of the aforementioned medical releases.

The undersigned thanks the Court for its consideration of this request.

Respectfully submitted,

/s/ Amanda Rolon  
Assistant Corporation Counsel  
Special Federal Litigation Division

**VIA ECF**

*All counsel of record*

Following a telephone conference with a parties today, it is hereby ORDERED as follows:

1. No later than April 29, 2022, Plaintiff shall provide Defendants with:
  - a. An updated HIPPA-compliant medical release for Bellevue Hospital with the subsection of the form relating to Plaintiff's HIV results, drug history, and mental health completed;
  - b. An updated HIPPA-compliant medical release form for Harlem Hospital relating to Plaintiff's medical records; and
  - c. An updated HIPPA-compliant medical release form for Metropolitan Hospital relating to Plaintiff's medical records.
2. The deadline for completion of fact discovery is June 30, 2022.

SO ORDERED.

Dated: April 26, 2022

