



5/26/20

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MEMO ENDORSED  
May 23, 2020 5/26/20

OK  
*[Handwritten signature]*

**VIA ECF**

Honorable Colleen McMahon  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: Williams v. The City of New York, et al., 19-CV-3548 (CM)

Your Honor:

I am a Senior Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney assigned to represent the City of New York in the above-referenced matter. The parties write respectfully to request a 60-day stay of this matter, including the deadline for the parties to engage in mediation through the 1983 plan.

By way of background, plaintiff filed the Complaint in this action on April 22, 2019, alleging, *inter alia*, that he was subjected to an unlawful arrest and excessive force by employees of the New York City Police Department on January 12, 2018. (ECF No. 1.) As of its filing, this matter was designated as a 1983 plan case. Accordingly, on December 10, 2019 the City filed its answer to the complaint. Thereafter, the parties exchanged plan disclosures and began the mediation process. The first mediation in this matter was scheduled to take place on February 19, 2020. The parties, along with the mediator in this matter, adjourned the first to allow for additional discovery productions. A second mediation, which was scheduled to take place on March 20, 2020, could not go forward because of the current health situation. However, since the first mediation the parties have had several mediation calls with the assigned mediator. Those mediation calls have not resolved this matter but the parties believe that additional time will allow for a more meaningful mediation in this matter. This additional time will allow for the parties to continue their attempts to gather the underlying medical records from various

hospitals. Those medical records will hopefully shed light on plaintiff's injuries and will allow both sides to make well reasoned settlement positions.

In light of the above considerations, the parties respectfully request that this matter be stayed for 60-days. After the 60-days have passed, the parties hope to conduct an in person mediation.

The undersigned thanks the Court for its attention to this matter.

Respectfully submitted,

*Maria Fernanda DeCastro /s/*

*Senior Counsel*

Special Federal Litigation Division

**BY ECF**

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