



THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

CAROLINE MCGUIRE
Assistant Corporation Counsel
Phone: (212) 356-5052
wgosling@law.nyc.gov

November 16, 2022

BY ECF

Honorable Jennifer E. Willis
United States Magistrate Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Keith Drew v. City of New York, et al., 19-CV-04067 (JGK) (JEW)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the assigned attorney representing Captain Rowe, Correction Officer Pumarejo, and Correction Officer Dicostanzo in the above-referenced matter (hereinafter “defendants”)¹. Defendants write to respectfully request that the Court adjourn the deadline to file a pre-motion conference letter by December 6, 2022, *sine die*, upon resolution of defendants’ motion to compel. Plaintiff consents to this request.

Excessive force is the only remaining claim in this case. See Docket Entry No. 54. Defendants filed a motion to compel plaintiff’s responses to defendants’ Interrogatories and Document Requests, and certain medical releases. See Docket Entry No. 72. Plaintiff did not oppose defendants motion. Subsequently, the Court scheduled a conference to take place on December 7, 2022, and extended the discovery deadline until the same. See Docket Entry No. 74.

Any pre-motion letter for summary judgment is due by December 6, 2022. See Docket Entry No. 71. This deadline appears to still be operative in the case. In light of the Court’s November 15, 2022 Order, scheduling a conference and extending the discovery deadline after this date, defendants respectfully request that the Court adjourn the deadline to file a pre-motion conference letter by December 6, 2022, *sine die*, upon resolution of defendants’ motion to compel.

¹ As your Honor will recall, this case was assigned to two attorneys at the Law Department from two different divisions. The undersigned was assigned to handle only the excessive force claim, which is the only remaining claim in this case following the Courts’ Decision on defendants’ Rule 12 Motion. See Docket Entry No. 54.

Defendants thank the Court for its consideration of this application.

Respectfully submitted,

/s/ *Caroline McGuire*
Assistant Corporation Counsel

CC: **BY MAIL AND EMAIL**

Keith Drew
Plaintiff Pro Se
85 Holland Avenue
Apartment 2A
Staten Island, New York 10303
keithdreww@gmail.com

GRANTED. The deadline to file a pre-motion conference letter is adjourned sine die, to be revisited at the December 7, 2022 conference.

SO ORDERED.


Jennifer E. Willis

United States Magistrate Judge

November 17, 2022