



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EDWARD BANKS,

Plaintiff,

- against -

MCGLYNN, HAYS & CO., INC., et al.,

Defendants.
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19-CV-5727 (JPO) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order resolves the issue raised by the parties in their letter applications at Dkt. 272 and 273. Plaintiff's request for a stay of the Court's September 3, 2021 order at ECF 271 is DENIED. The relief requested will cause further delay in a case that already has been unduly delayed. Expert discovery should proceed. Defendant can ask Plaintiff's expert about the redacted portion of Plaintiff expert's notes. That portion of Plaintiff expert's report and deposition transcript will be deemed confidential and subject to filing under seal until further order of the Court. In the event that Defendant files objections to this Court's ruling regarding the redaction, and in the event that the District Court Judge were to sustain those objections, the portion of the deposition (and of Defendant expert's report to the extent any such material is incorporated therein) will be stricken and excluded from evidence. Accordingly, Plaintiff will not incur any irreparable harm. Defendant's request to extend discovery to the end of December is DENIED.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: September 9, 2021
New York, New York

Copies transmitted this date to all counsel of record.