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November 14, 2023

BY ECF

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Akeem Oliver v. City of New York, et al.
19 Civ. 11219 (PGG)(JLC)

Your Honor:

I am a Senior Counsel in the New York City Law Department, one of the attorneys representing defendants City of New York, Board of Education of the City School District of the City of New York (“DOE”), Sonhando Estwick, Carry Chan, and Kristine Mustillo (“the DOE defendants”) in the above-referenced matter. I write along with Omar Siddiqi, Esq., counsel for defendants Kenneth Taylor, Kevin McLeod, and Tong Jiang (“the NYPD defendants”) to respectfully request an extension, from November 16, 2023 to November 30, 2023, for defendants to serve plaintiff with their summary judgment motion. Plaintiff consents to this extension and the following amended briefing schedule: defendants’ summary judgment motion to be served November 30, 2023; any opposition from plaintiff to be served January 5, 2024; and defendants’ reply to be served January 26, 2024. The reasons for this request are set forth below.

Co-counsel for the DOE defendants Maria DeCastro, Esq., has unexpectedly been out sick since last week with COVID. Ms. DeCastro was briefing several motion points for the DOE defendants’ memorandum of law, which she has been unable to complete. Further, all defense counsel must be able to work together to finalize defendants’ declaration and supporting exhibits, Local Civil Rule 56.1 statement, and memorandum of law. As the Court is aware, next Thursday is Thanksgiving. I will be out of the office from November 21 through November 24 on a previously scheduled vacation, Ms. DeCastro will be out of the office all next week on a previously scheduled vacation, and Mr. Siddiqi will be out of the office from November 22 until November 28 on a previously scheduled vacation.

Defendants thank the Court for its consideration herein.

Respectfully submitted,

MEMO ENDORSED

The Application is granted.

SO ORDERED:



Paul G. Gardephe, U.S.D.J.

Is/ Christopher G. Arko

Christopher G. Arko
Senior Counsel

Date: November 15, 2023