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Defendant having shown compelling circumstances, the application is GRANTED. The parties shall file the proposed Joint Pre-Trial Order **no later than December 17, 2021**. SO ORDERED.

Barbara Moses, U.S.M.J.  
November 18, 2021

November 17, 2021

**Via ECF**

Hon. Barbara Moses  
United States District Court  
500 Pearl St., Courtroom 20A  
New York, NY 10007-1312

**MEMO ENDORSED**

Re: Angelo Lopes v. JLM Decorating NYC Inc et al., 20-cv-00314-BCM

Your Honor:

I represent Plaintiff in the above referenced matter. I write this letter at the request of Defendants' counsel. Defendants request an extension of the parties' deadline to submit their proposed Joint Pre-Trial Order from November 22, 2021 until December 10, 2021 or December 17, 2021. Plaintiff consents to Defendants' request.

On November 16, 2021, I emailed opposing counsel Plaintiff's portion of the proposed Joint Pre-Trial. The day prior, I had also emailed opposing counsel a list of facts that I propose the parties stipulate to. On November 16, 2021, I sent opposing counsel an email asking him if he was available to discuss the Joint Pre-Trial Order today (November 17). This morning, at or around 9:23 am, I sent opposing counsel a text message asking him if he could talk this afternoon. Opposing counsel's response is attached hereto as **Exhibit A**.

This is the third request for an extension of the deadline to submit the proposed Joint Pre-Trial Order. The Court granted the two prior requests, but explained in its last Order that "[n]o further extensions will be granted absent compelling circumstances."

If the Court grants the instant request, this will affect the conference scheduled for November 29, 2021. I am available every day in December except for December 16 and December 29. As of the time of this filing, opposing counsel hasn't provided me with proposed adjourn dates. Opposing counsel's away message indicates that he will be "out of the office with limited access to emails from 11/17 to 12/3, returning to the office on Monday 12/5."

In the absence of an Order extending the parties' deadline to submit their proposed Joint Pre-Trial Order, Plaintiff intends to file his portion by November 22, 2021 (the current deadline) regardless of whether Defendants participate.

Respectfully submitted,

/S/Jon A. Stockman, Esq.

cc: Brett W. Joseph, Esq.

**EXHIBIT A**



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9:29 AM, Nov 17

Hi Jon, I'm sorry today was supposed to be my last day I. The office before I head off for my wedding in Cartagena Colombia this weekend, but I had an emergency come up this morning that I had to handle before my flight at 730 toMorrow morning. The conflict with the JPTO timing was unintentional as I had previously allotted time to get it done before my wedding prior to adjourning it. I am sorry for not addressing it earlier I have been totally swamped with work and getting final preparations ready for my wedding.

Would you be willing to submit a request for an extension on the deadline to submit JPTO until 12/17 or 12/10? That will give sufficient time upon my return. I'm going to be tied up with stuff most of the day but I can try to speak later this afternoon.



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