

# Colleran & O'Hara & Mills L.L.P.

WALTER M. COLLERAN (1912-1998)  
 RICHARD L. O'HARA  
 JOHN F. MILLS (1939-2003)  
 EDWARD J. GROARKE  
 CHRISTOPHER P. O'HARA  
 CAROL O'ROURKE PENNINGTON  
 DENIS A. ENGEL  
 JOHN S. GROARKE\*  
 MICHAEL D. BOSSO

STEPHANIE SUAREZ  
 STEVEN C. FARKAS\*\*\*  
 THOMAS P. KEANE\*\*\*  
 DAMIEN O. MAREE\*\*  
 TAYLOR ANNE WAITES  
 GARRETT J. DOWD  
 PATRICIA L. BOLAND  
 GLENN A. KREBS +

PARALEGALS  
 LAURA A. HARRINGTON  
 KRISTINE M. MURPHY  
 LILLY PIAZZA  
 KAREN ALBERTELLI GILBERT  
 \* ALSO ADMITTED IN NEW JERSEY  
 \*\* ALSO ADMITTED IN WASHINGTON, D.C.  
 \*\*\* ALSO ADMITTED IN NEW JERSEY AND CONNECTICUT  
 + OF COUNSEL

September 9, 2021

**VIA ECF**

Hon. John G. Koeltl  
 United States District Judge  
 United States District Court  
 Daniel Patrick Moynihan Courthouse  
 Southern District of New York  
 500 Pearl Street  
 New York, NY 10007-1312

*The conference scheduled for 9/10/21 is canceled.*

*The parties should provide a status report by 10/29/21. so ordered*

Re: Iron Workers Locals 40, 361 & 417 Health Fund v. Joyce et al  
 Civil Case No.: 20-cv-596

*JG Koeltl  
U.S.D.C.  
9/9/21*

Dear Judge Koeltl,

As Your Honor will recall, this firm is counsel to Plaintiff Iron Workers Locals 40, 361 & 417 Health Fund ("Health Fund") in the above-referenced matter. We write to request an adjournment of the status conference currently scheduled for September 10, 2021.

The parties have reached a settlement in principle. The Health Fund is currently waiting to receive reimbursement check from Mr. Joyce's treating physician and the no fault carrier. Additionally, the parties have agreed to the amount of money Plaintiff will pay to the Health Fund out of the settlement funds currently held in escrow in order to resolve the balance of the lien.

Plaintiff proposes that the status conference be adjourned sine die. Once the Health Fund deposits the reimbursement checks and the settlement money from Defendant, we will take the appropriate action to end this litigation and resolve the hold on the settlement funds held in escrow pursuant to the so-ordered stipulation entered into the parties on March 2, 2020. See Docket No. 19.

This is the fifth request to adjourn the status conference; the prior requests were granted. Counsel for the defendants has consented to the adjournment.

Plaintiffs thank Your Honor for the Court's attention to this matter.

Respectfully,

COLLERAN, O'HARA & MILLS L.L.P.

By: /s/ Thomas P. Keane

THOMAS P. KEANE

TPK/gl  
 3028-0008  
 cc: Seamus Boyle, Esq. via ECF