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Hon. Mary Kay Vyskocil
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Hasson v. HSBC Bank USA, N.A., U.S.D.C. S.D.N.Y. Case No. 1:20-cv-01024-MKV

Dear Judge Vyskocil:

We represent defendant HSBC Bank USA, N.A. (“HSBC”) in the above-referenced action. We write, together with plaintiff Gareth Hasson (“Plaintiff”), to jointly request a stay of discovery pending a ruling on HSBC’s Motion to Compel Arbitration (the “Motion”).

On July 1, 2020, HSBC moved to compel arbitration of Plaintiff’s claims against it. (ECF Nos. 23-25.) The Motion was fully briefed as of August 12, 2020. (ECF No. 32-33.) Notwithstanding the pendency of the Motion, HSBC voluntarily produced documents and provided information that HSBC would otherwise produce to Plaintiff in arbitration but otherwise has objected to discovery until its Motion to Compel Arbitration is decided. After extensive conferral, the parties have reached an impasse on the scope and substance of further discovery, pending the Court’s ruling.

In the meantime, the parties note that they have in good faith completed their pre-conference obligations in anticipation of the Settlement Conference before Magistrate Judge Gabriel W. Gorenstein (ECF No. 31). The Settlement Conference originally was scheduled for September 15, 2020, but on September 14, 2020, Judge Gorenstein adjourned it to September 29, 2020, and the parties have since worked with Judge Gorenstein to reschedule for October 8, 2020.

In lieu of expending further time, money and resources of both the parties and the Court on resolving discovery disputes, and engaging in additional efforts that could be mooted in their entirety if Plaintiff’s claims ultimately are compelled to arbitration, and to allow maximum effectiveness of the Settlement Conference, the parties jointly request a short discovery stay until the Court issues its ruling on the fully-briefed Motion to Compel Arbitration. In the event the Motion is denied, the parties will submit a revised proposed case management plan to conduct any remaining discovery for the Court’s review and approval.


Respectfully submitted,

/s/ Raymond A. Garcia

CC: All Counsel of Record (via ECF)

This request is GRANTED. The conference scheduled to take place on October 15, 2020 is adjourned *sine die*.

Date: October 13, 2020
New York, New York


Mary Kay Vyskocil
United States District Judge