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MEMORANDUM ENDORSEMENT

July 15, 2021

Hon. Magistrate Judge Gabriel W. Gorenstein
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Windward Bora LLC v. Glenn Swinney, et al
Docket No.: 1:20-cv-01087-GBD

Dear Magistrate Judge Gorenstein:

I represent Defendants Glenn Swinney, Dianne Swinney and Jermel Bennett (“Defendants”) in the above-referenced matter. I am writing to request that the Settlement Conference which was originally scheduled for July 9, 2021 at 2:30p.m. be rescheduled for July 29, 2021 at 10:00 a.m. I have conferred with Plaintiff’s counsel and obtained her consent for the new Settlement Conference date of July 29, 2021, at 10:00 a.m.

I thank the Court for its review of my request for a new Settlement Conference date.

Very truly yours,

/s/ Narissa A. Joseph
Narissa A. Joseph, Esq

The application for a new conference date is denied. It appears that the defendants have not provided information required by plaintiff necessary to reach a settlement decision. Further, there does not appear to have been compliance with paragraph 9 of the “Standing Order Applicable to Settlement Conferences Before Judge Gorenstein” (Docket # 28). The parties are directed to talk on the telephone immediately to try to resolve this case themselves. In the meantime, the Court will issue a mediation order. If the case does not settle at mediation, the parties shall provide, within 7 days of the conclusion of the mediation, a proposed schedule for discovery and summary judgment motions.

So Ordered.



GABRIEL W. GORENSTEIN
United States Magistrate Judge
July 16, 2021