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October 13, 2020

VIA ECF


Honorable Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street – Courtroom 15C
New York, New York 10007

MEMORANDUM ENDORSED. ORDERED that this case is STAYED until June 15, 2021. The Court will hold a conference on June 18, 2021 at 10:00 a.m. if the case is not closed before that date.

SO ORDERED. 10/14/2020

Re: *Varbero v. Belesis, et al.* Case No. 20 – CV – 02538 (LJL)

SO ORDERED.



LEWIS J. LIMAN
United States District Judge

Dear Judge Liman:

The Parties submit this joint letter detailing the status of the above captioned case.

On October 7, 2020, the Court conducted an hearing pertaining to the Defendants various discovery deficiencies and whether sanctions should be imposed upon the Defendants. Notwithstanding the Court reserving its decision on whether to sanction the Defendants, the Court ordered compliance and enforcement with regard to the outstanding discovery.

On October 12, 2020 the parties have reached an agreement to resolve the action. Whereby the Defendants agreed to make 6 installment payments beginning on or before November 1, 2020; with the last payment due on June 15, 2021.

The Parties respectfully request that compliance and enforcement of the outstanding discovery motions, So Ordered by the Court on October 7, 2020, be held in abeyance because the parties reached a settlement. The Parties have entered into this agreement, with the understanding that, should the Defendants default on any of these payment obligations, Plaintiff will renew his motion for sanctions pertaining to Defendants outstanding discovery obligations and setting new deposition dates for Mr. and Mrs. Belesis.

Accordingly, while the Parties hope to resolve this dispute without the further involvement of the Court, the Parties respectfully request that this case be held open until the June 15th, 2021 which is when the final payment is due according to the settlement terms. Holding the case open will preserve Plaintiff's rights and allow for the quick intervention of the Court, should it be necessary.

/s/ Michael F. Schwartz
Michael F. Schwartz, Esq.
Attorney for Defendants

Respectfully submitted,
/s/ Jeremy Iandolo
Jeremy Iandolo, Esq.
Attorney for Plaintiff