

# ALSTON & BIRD

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October 22, 2021

## VIA ECF

Hon. Lorna G. Schofield  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Application GRANTED. The parties' deadline to file a proposed Case Management Plan and Scheduling Order and joint letter is extended to **October 29, 2021**.

Dated: October 25, 2021  
New York, New York



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

Re: *Ohanian, et al. v. Apple Inc., et al.*, No. 20-cv-05162 (LGS) – Defendants' Request for Extension of Time to File Proposed Case Management and Scheduling Order

Dear Judge Schofield:

We represent Defendant T-Mobile USA, Inc. in the above-referenced action. Along with counsel for Apple Inc., and under Rule I(B)(2) of the Court's Individual Rules and Procedures for Civil Cases, we request the Court extend the deadline for the Parties to file a proposed Case Management and Scheduling Order and joint letter to **Friday, October 29, 2021**.

In the Court's October 14, 2021, Order [Dkt. 97], the Court set October 22, 2021, as the initial deadline for the Parties to confer and file a proposed Case Management and Scheduling Order and a joint letter providing: (1) a proposed briefing schedule for any motion to dismiss Ohanian's claims, (2) a statement describing the status of any settlement discussions and whether the parties would like a settlement conference with Magistrate Judge Cave, a court appointed mediator, or a private mediator retained by the parties and (3) any other information that the parties believe may assist the Court in this action. The Parties have conferred as ordered by the Court, but to allow counsel time to confirm the proposed case schedules with their respective clients, the Parties need additional time to finalize and file a proposed Case Management and Scheduling Order and joint letter. The requested seven-day extension should be sufficient for the Parties to finalize and file the proposed Case Management and Scheduling Order and joint letter. This is the first extension requested by the Parties, and Plaintiffs consent to this extension request.

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Respectfully submitted,

ALSTON & BIRD LLP

*/s/ Kristy Brown*

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Kristy Brown

cc: All counsel of record (via e-filing system)