

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARCIA MELENDEZ, *et al.*,

Plaintiffs,

v.

THE CITY OF NEW YORK, *et al.*,

Defendants.

No. 20-CV-5301 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

Pending before the Court are Plaintiffs' motion for summary judgment and Defendants' cross motion for summary judgment. Oral argument on the motions has been scheduled for December 12, 2022 at 11:00 a.m. New arguments were raised, albeit concisely, by Defendants' brief, Plaintiffs' reply brief, and Defendant's reply brief, regarding purported jurisdictional defects with this action. The Court would benefit from more fulsome briefing on these issues.

Accordingly, no later than December 7, 2022, the parties are directed to file supplemental letters, specifically addressing:

- (1) whether Plaintiffs Elias Bochner and 287 7th Avenue Realty LLC have established jurisdiction, including by demonstrating Article III standing;
- (2) whether this action is ripe for judicial review;
- (3) whether it would have been futile for Plaintiffs Bochner and 287 7th Avenue Realty LLC to have sought enforcement of the guarantee clause in their commercial rental contract.

SO ORDERED.

Dated: November 30, 2022
New York, New York



Hon. Ronnie Abrams
United States District Judge