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September 14, 2020

VIA ECF

The Honorable Gregory H. Woods
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

MEMORANDUM ENDORSED

Re: *Sims v. Sony Music Entertainment, et al.*, 20-cv-05322

Dear Judge Woods:

This firm represents defendants Sony Music Entertainment, Darhyl Camper, Jr., Gabriella Wilson and HER Music Publishing, Inc. (which was incorrectly named as “I Am Her Music” in the Complaint; collectively, “Defendants”) in the above-reference action.¹ Service of the Complaint was effected on September 10 through a waivers which we provided to Plaintiff’s counsel on September 11, 2020.

Having checked the docket, we became aware of several approaching deadlines and suggested to Plaintiff’s counsel that he communicate with the Court to seek an adjournment of the initial pretrial conference and the deadline to submit a joint letter and proposed case management plan in light of the fact that we have only just waived service of process. I am sure Plaintiff’s counsel inadvertently overlooked these deadlines.

In accordance with Rule 1.E of Your Honor’s Individual Rules of Practice, we write to request an adjournment of the initial pretrial conference, currently scheduled for September 17, 2020 at 4:00. This is our first request for an adjournment.

We seek this adjournment because, as noted, our clients have only just been served via waivers and their time to respond to the Complaint will not come due until November 9, 2020. While we hope to resolve this matter with Plaintiff’s counsel, we know that nothing is assured and, if we are unable to do so, we will be responding to the Complaint. In the meantime, we are investigating the issues and have provided Plaintiff’s counsel with information and intend to provide further information shortly.

Accordingly, in order to provide the parties with the opportunity to try to resolve this matter and to enable us to conduct further inquiry on our end, we would request an adjournment of the

¹ This firm does not represent the other defendant in this action, Justin Anthony Borroso.

The Honorable Gregory H. Woods
September 14, 2020
Page 2

pretrial conference until after our clients' responses to the Complaint are due and a corresponding adjustment of the deadline to submit a joint letter and proposed case management plan to the Court.

Respectfully submitted,

/s/ Donald Zakarin
Donald Zakarin

Application granted. The initial pretrial conference scheduled for September 17, 2020 is adjourned to November 18, 2020 at 4:30 p.m. The joint status letter and proposed case management plan described in the Court's July 14, 2020 order, Dkt. No. 2, are due no later than November 11, 2020.

SO ORDERED.

Dated: September 15, 2020
New York, New York



GREGORY H. WOODS
United States District Judge