

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**USDC SDNY  
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STEPHEN A. VOGEL, :  
 :  
 : Plaintiff, :  
 :  
 : - against - :  
 :  
 : DAVID BORIS and MARSHALL KIEV, :  
 :  
 : Defendants. :  
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ORDER

20 Civ. 9301 (VM)


**VICTOR MARRERO, United States District Judge.**

A Complaint in the above captioned matter was filed on November 5, 2020. (Dkt. No. 1.) Defendants and Plaintiff exchanged premotion letters, which the Court construed as a motion to dismiss the Complaint and denied on April 28, 2021. (See Dkt. No. 21.) Defendants filed an Answer and Counterclaims on May 12, 2021. (Dkt. No. 22.) Plaintiff filed an Answer to the Counterclaims on June 2, 2021. (Dkt. No. 23.)

The parties are hereby directed to submit a joint letter, within thirty (30) days of the date of this Order, addressing the following in separate paragraphs: (1) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s); (2) any contemplated motions; (3) the prospect for settlement; and (4) whether the parties consent to proceed for all purposes before the Magistrate Judge designated for this action. The parties are also directed to submit a completed Case Management Plan that provides that discovery is to be completed within four months unless otherwise permitted by the Court. A model Case Management Plan is available on the Court's website: <https://nysd.uscourts.gov/hon-victor-marrero>.

Submissions must be made in accordance with Judge Marrero's Emergency Individual Rules and Practices in Light of COVID-19, available at the Court's website.

Dated: JUNE 3, 2021  
New York, New York

  
Victor Marrero  
U.S.D.J.