

WARSHAW
BURSTEIN

Warshaw Burstein, LLP
575 Lexington Avenue, 7th Floor
New York, NY 10017
(212) 984-7700
www.wbny.com

March 30, 2021

VIA ECF

Honorable Lorna G. Schofield
United States District Judge
United States District Court
for the Southern District of New York
500 Pearl Street
New York, NY 10017

Re: Harrington Global Opportunity Fund, Ltd., v. CIBC World
Markets Corp. et al.
Case No. 21-cv-00761 (LGS)

Dear Judge Schofield:

This firm represents Plaintiff Harrington Global Opportunity Fund, Ltd. (“Plaintiff”), in the above captioned action. I write jointly on behalf of Plaintiff and with the consent of Defendants, pursuant to Rule I.B.2 of the Court’s Individual Rules of Practice, to request approval of a schedule wherein Plaintiff will amend its complaint and Defendants will answer, move, or otherwise respond to the Amended Complaint.

Pursuant to the Court’s Order of February 22, 2021 (the “Order”), Defendants were directed to file a pre-motion letter in support of a motion to dismiss in accordance with the Court’s Individual Rules. Defendants’ pre-motion letter was filed on March 25, 2021. [Dkt 49.] Pursuant to the Order, by April 1, 2021, Plaintiff is to file a response to Defendants’ pre-motion letter and the parties are also required to file a joint letter proposing a schedule for Defendants to answer, move, or otherwise respond to the Complaint and a Joint Civil Management Plan and Scheduling Order. [Dkt. 16.] A telephonic conference is scheduled for April 8, 2021. [Dkt. 14.]

After receiving Defendants’ joint pre-motion letter, Plaintiff has elected to amend its Complaint. As a result, the parties jointly request approval of the following schedule:

The application is GRANTED in part. By **April 22, 2021**, Plaintiff shall serve its amended Complaint. By **April 29, 2021**, Defendants shall jointly file any pre-motion letter for a motion to dismiss the amended Complaint, and by **May 6, 2021**, Plaintiff shall file any response. All submissions will be per the Individual Rules. The April 1, 2021, deadline for Plaintiff’s response to Defendants’ March 25, 2021, pre-motion letter (Dkt. No. 49) is **cancelled**. The initial pre-trial conference scheduled for April 8, 2021, is **adjourned** sine die.

SO ORDERED

Dated: March 31, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

1. Plaintiff shall serve its Amended Complaint on or before May 17, 2021;
2. Defendants shall serve their motion to dismiss within 60 days after being served with Plaintiff's Amended Complaint;
3. Plaintiff shall serve its opposition to Defendants' motion to dismiss within 60 days after service of Defendants' motion;
4. Defendants shall serve their reply to Plaintiff's opposition within 30 days after service of Plaintiff's opposition.

This is the first request by Plaintiff to amend its Complaint and for a briefing schedule of Defendants' motion to dismiss Plaintiff's Amended Complaint.

We respectfully thank the Court for considering this joint request.

Respectfully submitted,

Warshaw Burstein, LLP

/s/ Alan M. Pollack

Alan M. Pollack

cc: Sandra D. Hauser, Esq.
William E. Walsh, Esq.
Stephen J. Senderowitz, Esq.
Benjamin Perotin, Esq.
Audra J. Soloway, Esq.
Abby F. Rudzin, Esq.
Brad Elias, Esq.
Todd Fishman, Esq.
Alexander K. Bussey, Esq.
David Sapir Lesser, Esq.
Jamie S. Dycus, Esq.
Jenny Pelaez, Esq.
Perrie Weiner, Esq.
Benjamin Turner, Esq.
Michael Hidalgo, Esq.
Laura Zimmerman, Esq.
Alesha Fowler, Esq.