

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARIA PAREDES,

Plaintiff

-v-

ARAMARK MANAGEMENT SERVICES LIMITED
PARTNERSHIP,

Defendant.

21 Civ. 2816 (PAE)

ORDER

ARAMARK MANAGEMENT SERVICES LIMITED
PARTNERSHIP,

Third-Party
Plaintiff

-v-

FRESH DIRECT, LLC,

Third-Party
Defendant.

PAUL A. ENGELMAYER, District Judge:

On November 9, 2021, the Court granted Aramark Management Services Limited Partnership (“Aramark”) leave to implead Fresh Direct, LLC (“Fresh Direct”) as a third-party defendant. Dkt. 17. That same day, Aramark filed its third-party complaint against Fresh Direct, Dkt. 19. Aramark served Fresh Direct on December 10, 2021¹—the same day fact discovery had

¹ While the text of the ECF entry at docket number 20 indicates that Fresh Direct had been served on December 17, 2021, the affidavit of service itself indicates that Fresh Direct had been served on December 10, 2021. See Dkt. 20. In light of the apparent confusion, the Court does not fault Fresh Direct for failing to respond to Aramark’s third-party complaint within 21 days of December 10, 2021. See generally Fed. R. Civ. P. 12(a).

been set to close, pursuant to the case management plan approved by the Court when the only parties to the action were Aramark and Maria Paredes. *See* Dkts. 10, 20.

Given that Aramark's claims against Fresh Direct arise out of the same facts and circumstances underlying Paredes's action against Aramark, the Court assumes that minimal further discovery has been occasioned by Fresh Direct's inclusion as a party in this case. Nonetheless, in the interest of fairness—and because no party has proposed an amended case management plan given the additional parties and claims—the Court *sua sponte* adjourns the deadlines set forth in the case management plan, Dkt. 10, and directs counsel to immediately confer and propose forthwith an amended case management plan anticipating the completion of any supplemental fact discovery within six weeks. The proposed amended case management plan is to be submitted by Friday, January 14, 2022.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: January 7, 2022
New York, New York