

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
ALPHONSO FRANKLIN, :  
:  
Plaintiff, :  
:  
-against- :  
:  
CONA ELDER LAW, PLLC f/k/a GENSER, :  
DUBOR, GENSER & CONA, LLP, KEN :  
KERN, and THE WARTBURG HOME OF :  
THE EVANGELICAL LUTHERAN :  
CHURCH, :  
:  
Defendants. :  
:  
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21-CV-4810 (VSB)

**ORDER**

VERNON S. BRODERICK, United States District Judge:

On July 14, 2021, Defendants Cona Elder Law, PLLC f/k/a Genser, Dubor, Genser & Cona, LLP (“Cona Elder Law”) and Ken Kern (“Kern”) filed a motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). (Doc. 21.) Under Federal Rule of Civil Procedure 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby:

ORDERED that Plaintiff shall file any amended complaint by August 4, 2021. It is unlikely that Plaintiff will have a further opportunity to amend.

IT IS FURTHER ORDERED that if no amended complaint is filed, Plaintiff shall serve any opposition to the motion to dismiss by August 13, 2021. Any reply by Defendants Cona Elder Law and Kern shall be served by August 27, 2021.

SO ORDERED.

Dated: July 16, 2021  
New York, New York

  
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Vernon S. Broderick  
United States District Judge