

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILLIP A. VAUGHN,

Plaintiff,

-v-

NEW YORK CITY TRANSIT AUTHORITY,

Defendant.

USDC SDNY
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DATE FILED: 3/10/2025

ORDER

21-CV-7048 (AS) (HJR)

HENRY J. RICARDO, United States Magistrate Judge.

On December 6, 2024, Defendant New York City Transit Authority filed a letter motion to compel Plaintiff Vaughn to produce certain documents. ECF No. 92. Plaintiff Vaughn filed no opposition to this letter motion. The Court scheduled a pre-motion conference on December 19, 2024, which was adjourned to January 24, 2024 at Plaintiff's request. *See* ECF Nos. 93, 95. On January 17, 2025, Defendant filed a supplemental letter in support of its pending letter motion advising the Court that Plaintiff failed to appear for his deposition. ECF No. 96. Plaintiff responded by letter dated January 21, 2025, asking the Court not to impose sanctions. ECF No. 97.

During the January 24 conference, Plaintiff asked the Court to adjourn the conference for medical reasons, and the Court directed Plaintiff to file a status report addressing his medical status and availability for a rescheduled pre-motion conference. ECF No. 99. Plaintiff then asked to stay this action for medical reasons. ECF No. 100. The Court stayed the case until March 3, 2025, directed

Plaintiff to file a status report by that date, and, to the extent Plaintiff sought a longer stay, directed Plaintiff to provide “sufficiently detailed information . . . to justify a further stay.” ECF No. 104. On March 3, 2025, Plaintiff filed a letter asking the Court to continue the stay and submitted documentation in support of his request. *See* ECF Nos. 106, 110.

Plaintiff’s request to continue the stay of this action is **DENIED** for failure to provide sufficiently detailed information to justify a further stay. In support of this request, Plaintiff filed under seal a one-page letter from a healthcare professional stating that Plaintiff is receiving unspecified outpatient treatment for an unspecified condition, with no indication that such condition or treatment interferes with his ability to proceed with this litigation. *See* ECF No. 110-1.

A conference is scheduled on **March 25, 2025 at 10:00 a.m.** by telephone. At this conference, the parties should be prepared to address the issues raised in Defendant’s pending motion to compel, ECF No. 92, and supplemental letter. ECF No. 96.

Plaintiff is warned that failure to appear at this conference will result in the Court (1) resolving Defendant’s unopposed letter motion, ECF No. 92, based on the written submissions made by Defendant, and (2) granting leave for Defendant to file a motion for sanctions for Plaintiff’s failure to appear for deposition, which sanctions may include a recommendation that Plaintiff’s claims be dismissed.

CONCLUSION

Plaintiff's request to stay this case further is **DENIED**. A conference regarding Defendant's motion to compel, ECF No. 92, and potential motion for sanctions for failure to appear for deposition are scheduled on **March 25, 2025 at 10:00 a.m.** by telephone. The parties should contact Chambers using the Court's conference line, 646-453-4442 (Conference ID: 643 471 062#). Counsel for the Defendant is directed to advise Plaintiff of the contents of this Order as soon as practicable. The Clerk of Court is respectfully requested to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

Dated: March 10, 2025
New York, New York



Henry J. Ricardo
United States Magistrate Judge