

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KWAINE THOMPSON,

Plaintiff,

-against-

CITY OF NEW YORK et al.,

Defendants.

USDC SDNY
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ELECTRONICALLY FILED
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DATE FILED: <u>11/14/2023</u>

22-CV-1458 (JPO) (KHP)**ORDER****KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE.**

As discussed at the November 14, 2023, Case Management Conference:

Defendants' Motion for Summary Judgment is due on **Tuesday, December 5, 2023**;Plaintiff's opposition brief is due on **Tuesday, February 6, 2024**; and Defendants' reply is due on
Tuesday, February 20, 2024.

Defendants' motion for summary judgment shall include a separate, short and concise statement, in numbered paragraphs, of the material facts as to which the moving party contends there is no genuine issue to be tried (a "Rule 56.1 Statement"). Plaintiff's submission opposing the motion for summary judgment shall similarly include a separate, concise Rule 56.1 Statement, with numbered paragraphs that correspond to Defendants' Rule 56.1 Statement. Plaintiff's Rule 56.1 Statement should state whether Plaintiff agrees or disagrees with each numbered paragraph in Defendants' Rule 56.1 Statement, and if necessary, shall include additional paragraphs setting forth additional material facts that Plaintiff contends are in dispute and should be tried before a jury. Each statement in the Rule 56.1 Statements shall be followed by citation to evidence that would be admissible in Court.

Parties' memoranda of law in support of and in opposition to the motion are limited to 25 pages and the reply is limited to 10 pages. Memoranda of 10 pages or more shall contain a table of contents and a table of authorities, neither of which shall count against the page limit. Defendants shall mail to Plaintiff a copy of all papers filed in support of the motion, and copies of any unreported cases cited in Defendants' submissions.

Additionally, by **Tuesday, November 28, 2023**, Defendants shall file a letter stating whether they are amenable to the Court scheduling a settlement conference in this action. As discussed at the Conference, the Court may be able to secure pro bono representation for Plaintiff for the limited purpose of settlement, which may assist the parties in reaching a reasonable and mutually agreeable resolution.

Defendants have mailed a copy of Plaintiff's deposition transcript to Plaintiff. In the event Plaintiff does not receive a copy of those transcripts by **Tuesday, November 28, 2023**, Plaintiff should file a letter on ECF requesting that Defendants re-send the transcript. Additionally, by separate Order also issued today, the Court has directed that the Warden of Mid-State Correctional Facility permit Plaintiff to view the video evidence produced by Defendants by Monday, December 4, 2023. If Plaintiff is not given the opportunity to view the videos by **Monday, December 4, 2023**, Plaintiff should file a letter on ECF alerting the Court that he was not given the opportunity to view the videos.

The Clerk of Court is respectfully directed to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: November 14, 2023
New York, New York

Katharine H. Parker
KATHARINE H. PARKER
United States Magistrate Judge