

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILSON & WILSON HOLDINGS LLC,

Plaintiff,

-against-

DTH, LLC,

Defendant.

ORDER

22 Civ. 2941 (PGG)

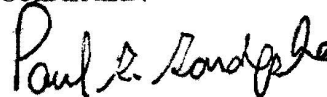
PAUL G. GARDEPHE, U.S.D.J.:

As stated on the record at today's conference, Count V of the Complaint is dismissed on consent. By **September 22, 2022**, Plaintiff shall file either (1) an amended complaint; or (2) a letter stating that Plaintiff wishes to rest on the facts pled in the Complaint. By **September 29, 2022**, Defendant shall file a letter stating whether it wishes to file a motion to dismiss. If so, Defendant shall propose a briefing schedule that has been discussed with Plaintiff's counsel.

The case management plan will be held in abeyance until the Court has received Defendant's letter. To the extent that the parties are interested in pursuing settlement discussions, the parties shall so inform the Court by **September 29, 2022**, and the Court will consider holding the case management plan in abeyance pending the outcome of those discussions. If the services of the assigned magistrate judge would be useful in pursuing settlement, the parties shall so inform the Court.

Dated: New York, New York
September 15, 2022

SO ORDERED.



Paul G. Gardephe
United States District Judge