

**HOGUET NEWMAN
REGAL & KENNEY, LLP**

One Grand Central F
60 East 42nd Street, 4
New York, New York

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November 13, 2023

VIA ECF

Hon. Stewart D. Aaron
Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Application GRANTED. The Initial Pretrial Conference scheduled for November 28, 2023 (see Order, ECF No. 40) is adjourned until January 3, 2024 at 11:00 a.m. SO ORDERED.

Dated: November 14, 2023

Att'd a

Re: *Vaughn v. Metropolitan Transit Authority, et al.*,
Civil Action No. 1:22-cv-3221-LTS-SDA

Dear Magistrate Judge Aaron,

We represent Defendants Metropolitan Transportation Authority (incorrectly named herein as Metropolitan Transit Authority), Manhattan and Bronx Surface Transit Operating Authority, and New York City Transit Authority (together, the “Transit Defendants”). We write jointly with the Plaintiff to request an adjournment of the Initial Pretrial Conference presently scheduled for Tuesday, November 28, 2023, before Your Honor. Dkt. No. 40.

Per Judge Swain’s Order dated October 13, 2023, Plaintiff’s original complaint in another related action became his second amended complaint in the instant action, and the other related action was dismissed. Dkt. No. 37. This second amended complaint adds a new defendant, TWU Local 100 (“TWU”), to this action. *See id*; Dkt. No. 38.

Judge Swain also granted Plaintiff until November 17, 2023, to further amend his complaint, and the Transit Defendants until December 8, 2023, to respond to the operative complaint. Dkt. No. 37.¹ Further, a summons will issue for TWU on or after November 17, 2023, which has not yet been served in this matter.

As the Rule 16 conference precedes the date that the MTA’s response to the operative complaint is due and is very close in time to the earliest date that a summons will issue for TWU, the Transit Defendants and Plaintiff respectfully request that the Rule 16 conference be adjourned.

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¹ Although amending the complaint remains at Plaintiff’s sole discretion, Plaintiff expressed his intent to file a third amended complaint by November 17, 2023.

Thank you for your consideration.

Respectfully submitted,

/s/ H. Hechtkopf
Helene R. Hechtkopf