

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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EDWIN CRESPO, et al.,

Plaintiffs,

22-CV-7345 (PKC) (VF)

-against-

ORDER

JOSEPH FRANCO, et al.,

Defendants.

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VALERIE FIGUEREDO, United States Magistrate Judge

As discussed at the March 11, 2025 conference, the deadline for the parties to complete discovery is hereby extended to **May 16, 2025**.

With regards to Plaintiffs' requests for production ("RFPs"), Plaintiffs are directed to submit a letter with supplemental authority in support of their requests for an order directing Defendants to respond to RFP 2, Requests 13 and 17 by **Wednesday, April 2, 2025**. Defendants are directed to respond by **Thursday, April 10, 2025**. Defendants are directed to respond to the Plaintiffs' other outstanding RFPs and to provide destruction records for unavailable documents by **Friday, April 11, 2025**.

Finally, Defendants' objections to Interrogatories Nos. 9 and 16 on the basis that they exceed the 25-interrogatory limit in Federal Rule of Civil Procedure 33 are overruled. Courts in this Circuit have allowed for 25 interrogatories per party, rather than per side, where the parties are "more than nominally separate parties." Auther v. Oshkosh Corp., No. 09-CV-00527(A)(M), 2010 WL 1404125, at *4 (W.D.N.Y. Mar. 30, 2010) (permitting 25 interrogatories directed at each plaintiff because, "[w]hile their claims arise from the same incident," their claims are sufficiently distinct"); see also In re Indep. Energy Holdings Secs. Litig., No. 00-CV-6689 (SAS) (MHD), 2003 WL 42010, at *1 (S.D.N.Y. Jan. 6, 2003) (permitting 25 interrogatories per

distinct party because of the case's complexity and due to "the absence of any suggestion by defendants that the interrogatories in question were otherwise all inappropriate"). Plaintiffs are more than nominally separate, as each Plaintiff's claims arise from distinct criminal cases. See ECF No. 1 at ¶¶ 17-22. Moreover, each subpart of Interrogatory No. 9 seeks documents distinct to each Plaintiff. And, the Court has not previously extended the interrogatory limit imposed by Rule 33. For these reasons, Defendants' objection to Interrogatory Nos. 9 and 16 are overruled and Defendants are directed to respond to those interrogatories by **April 11, 2025**.

SO ORDERED.

DATED: New York, New York
March 12, 2025



VALERIE FIGUEREDO
United States Magistrate Judge