

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROBERT LIA,	: 22 Civ. 10469 (MMG) (GS)
	:
Plaintiff,	: <u>ORDER</u>
	:
- against -	:
	:
JOSEPH T. SCOVOTTI,	:
	:
Defendant.	:
	:
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GARY STEIN, United States Magistrate Judge:

On August 26, 2024, the Court issued an Order (i) directing Plaintiff’s counsel to file an amended complaint by September 4, 2024, substituting Michael J. Lia, as representative, as the Plaintiff in this action; (ii) scheduling a case management conference for September 26, 2024; and (iii) instructing the parties to jointly file a proposed case management plan no later than one week prior to the conference. (Dkt. No. 21). To date, Plaintiff’s counsel has not filed an amended complaint and the parties have not submitted a proposed case management plan. The parties provide no explanation for these omissions.

This is unfortunately not the first time the parties have ignored the Court’s orders in this case. The parties failed to comply with the discovery deadlines in the initial Civil Case Discovery Plan and Scheduling Order entered on January 4, 2023 (Dkt. No. 10) and never requested an extension of those deadlines. The Court later excused that default—only to now see the parties once again ignore an order. I will, nonetheless, give the parties one more chance.

Accordingly, it is hereby **ORDERED** that:

1. Plaintiff’s counsel shall file an amended complaint by **October 2, 2024**, substituting

Michael J. Lia, as representative, as the Plaintiff in this action.

2. The Case Management Conference scheduled for September 26, 2024 is adjourned to

October 10, 2024 at 10:00 a.m. Counsel are directed to join the conference via

Microsoft Teams using the following link: [Click here to join the meeting now.](#)

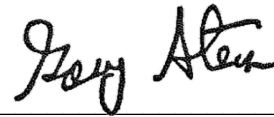
[Meeting ID: 287 290 560 681 Passcode: Ct2yXv]

3. Counsel shall jointly file a proposed case management plan by **October 3, 2024**, using

the undersigned's form order available at: <https://nysd.uscourts.gov/hon-gary-stein>.

The parties are hereby on notice that any further failure to comply with the Court's orders may result in sanctions, not limited to monetary sanctions; forfeiture of discovery rights; preclusion of claims, defenses, and evidence; and dismissal for failure to prosecute or entry of a default judgment.

Dated: New York, New York
September 25, 2024



GARY STEIN
United States Magistrate Judge