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MEMO ENDORSED

The Application is granted.

SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.

Dated: May 10, 2024

MAURA E. BREEN***
SAMUEL R. BLOOM*****

The parties will file a joint status letter by May 27, 2024, if a stipulation of dismissal has not been filed by then.

May 10, 2024

VIA ECF ELECTRONIC FILING

Hon. Paul G. Gardephe, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Courtroom 705
New York, New York 10007

**Re: Trustees of the Building Service 32BJ Pension Fund v. Borough of Yeadon
Civil Action No. 23-cv-567**

Dear Judge Gardephe:

Our firm is counsel for Plaintiffs Trustees of the Building Service 32BJ Pension Fund (the "Fund"). Presently, there is a Conference scheduled before Your Honor on May 13, 2024. The Fund asks that this hearing be adjourned *sine die*. This hearing was adjourned once previously.

This case concerns audit compliance by a contributing employer to an ERISA benefit fund. The Fund auditors have been in communication with Defendant Borough of Yeadon ("Defendant") about the documents required, and recently, additional documentation was provided to the Fund auditors. Although Defendant has not appeared in this action, given Defendant's responsiveness to the Fund auditors, it is the undersigned's belief that this matter will resolve shortly. The Fund asks that it advise the Court in two (2) weeks whether the matter is resolved, or if the Order to Show Cause should proceed.

Thank you for your attention to this matter. If you have any questions or concerns, please do not hesitate to contact me.

Respectfully submitted,



Samuel R. Bloom