

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SAEED S. AOBAD
:

Plaintiff, : ORDER
: 23 Civ. 1730 (JPO) (GWG)
:

-v.- :

:

BUILDING SERVICE 32 BJ PENSION FUND
et al., :

:

Defendants. :

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GABRIEL W. GORENSTEIN, United States Magistrate Judge

The Court has issued two orders requiring plaintiff to file the written Pretrial Statement required by paragraph 13 of Judge Oetken’s Individual Rules and Practices in Civil Pro Se Cases. See Order, dated Jan. 22, 2024 (Docket # 19); Order, dated Feb. 26, 2024 (Docket # 20). Plaintiff failed to comply with either order.

In response to the Court’s Order to Show Cause why this case should not be dismissed based on these failures, see Order to Show Cause, dated Mar. 18, 2024 (Docket # 21), plaintiff has now responded (Docket # 22) but gives no acceptable explanation of why he simply ignored the Court’s prior two orders.

Nonetheless, the Court will reluctantly grant plaintiff a final opportunity to file the required Pretrial Statement. The Pretrial Statement must contain the following information:

- (1) a statement of the facts plaintiff intends to prove at trial;
- (2) a list of all documents or other physical objects that the plaintiff plans to put into evidence at trial; and
- (3) a list of the names and addresses of all witnesses whom the plaintiff intends to have testify at trial.

This statement must be sworn to by the plaintiff to be true and accurate based on the facts known by the plaintiff. The statement shall be filed by April 9, 2024. The defendants’ responsive statement shall be filed by April 23, 2024.

Plaintiff is warned that if he fails to comply with this Order, his case may be dismissed.

Finally, the Court notes that the Pro Se Intake Unit at the United States Courthouse, 40

Centre Street, Room 105, New York, New York ((212) 805-0175) may be of assistance to the plaintiff in connection with court procedures.

SO ORDERED.

Dated: March 27, 2024
New York, New York



GABRIEL W. CORENSTEIN
United States Magistrate Judge