

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKANTHONY WILLS, JR., *on his own behalf and on behalf of others similarly situated,*

Plaintiff,

-against-

CEZAR HAXHARI, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 11/13/2023

1:23-cv-4840 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of an incomplete proposed case management plan and joint letter filed by Plaintiff. [ECF Nos. 51, 52.] In the joint letter, Plaintiff requests additional time to file a complete joint letter. [ECF No. 52.] Plaintiff explains that he “write[s] jointly with Defendants.” [ECF No. 52.] However, counsel for Defendants City of New York, New York City Department of Housing Preservation and Development, New York City Human Resources Administration, and New York City Housing Development Corporation (collectively, “City of New York”) filed two letters in response, noting that he “did not consent to the terms of” the proposed case management plan, nor had he seen or agreed to the contents of the purportedly “joint” letter. [ECF Nos. 53, 54.]

In a Scheduling Order dated October 5, 2023, the Court directed Plaintiff *and Answering Defendants* (Cezar Haxhari and Cezar H. LLC) to proceed with discovery and to file a joint letter and proposed case management plan. Plaintiff has now dismissed his claims against *both* Cezar Haxhari and Cezar H. LLC. Therefore, no proposed case management plan or joint letter is necessary at this time. The parties should proceed with briefing on the anticipated motions to dismiss as previously outlined in ECF Nos. 40 and 49.

The parties are admonished that all representations to this Court must comply with Fed. R. Civ. P. 11. Failure to comply with this Order or any Rule of this Court may result in

preclusion of claims, evidence, or defenses, monetary penalties (including on counsel personally) and/or dismissal of this action.

SO ORDERED.

Date: November 13, 2023
New York, NY

Mary Kay Vyskocil

MARY KAY VYSKOCIL
United States District Judge