

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 6/3/2024

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DAMON JONES, on behalf of himself and all :
others similarly situated, :
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 Plaintiff, :
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 -against- :
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 LEE & LOW BOOKS, INC., :
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 Defendant. :
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23-CV-7756 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on May 17, 2024, the Court ordered Mars Khaimov to show cause why he should not be (a) subject to limitations on filing new cases, (b) required to file a copy of the Court’s May 17, 2024, Order as part of his response to any federal district court judge who orders him to show cause why he should not be sanctioned for failing to comply with a court order, (c) required to report to this Court monthly, under oath, the number of cases he has filed during the prior month and whether he has been threatened with sanctions, and (d) referred to the Southern District of New York Grievance Committee for investigation whether his membership in the bar of this Court should be terminated, *see* Order, Dkt. 37;

WHEREAS on May 30, 2024, Mr. Khaimov responded to the Court’s Order voluntarily agreeing to measures, obligations, and restrictions to reduce his admittedly unmanageable caseload and to demonstrate his commitment to changing the practices and procedures of his law office that resulted in him having such an unmanageable case load, *see* Response, Dkt. 43; and

WHEREAS the Court finds that Mr. Khaimov’s proposed measures demonstrate a good faith effort to reduce his caseload and change his practices;

IT IS HEREBY ORDERED that, subject to reconsideration if Mars Khaimov fails to comply with his commitments to this Court listed below, the Court will not refer him to the Southern District of New York Grievance Committee or otherwise further sanction him for violations of Court orders in this case. Mr. Khaimov has committed to the following remedial measures:

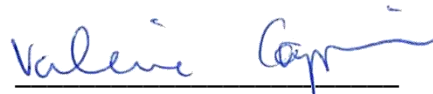
1. Neither Mr. Khaimov nor any member of his law firm will file any new action in the District Courts for the Southern District of New York (“SDNY”) or the Eastern District of New York (“EDNY”) for the next eight months — through Monday, February 3, 2025 — to allow his current active caseload to gradually decrease.
2. For the following four-month period — between Monday, February 3, 2025, and Tuesday, June 3, 2025 — Mr. Khaimov and all members of his law firm will limit new filings in the SDNY and EDNY to one new case per week total.
3. For the next two years (i.e., until June 3, 2026), Mr. Khaimov will report to the Undersigned monthly, under oath, (a) the number of cases he or any lawyer at his law firm has filed in SDNY and EDNY during the prior month and (b) whether, and if so by whom, he and any member of his law firm has been threatened with sanctions or ordered to show cause why a case should not be dismissed for failure to prosecute. The monthly report must be filed as a sworn affidavit via ECF to the docket in this case on the first of each month, beginning on **July 1, 2024**. If the first of the month falls on a holiday or a weekend, Mr. Khaimov must submit his sworn affidavit on the first business day of the month.
4. For the next two years (i.e., until June 3, 2026), Mr. Khaimov and all members of his firm will file a copy of the Court’s May 7, 2024, Order to Show Cause as part

of their response to any federal district court judge who orders him or any member of his firm to show cause why they or a client should not be sanctioned for failing to comply with court orders or to show cause why a case should not be dismissed for failure to prosecute.

5. Mr. Khaimov will take fifteen hours of continuing legal education credits in professional responsibility and law office management over the course of the next three months.

SO ORDERED.

Date: June 3, 2024
New York, New York



VALERIE CAPRONI
United States District Judge