

SPECTOR RUBIN

ATTORNEYS AT LAW

MEMO ENDORSED

Andrew R. Spector, Partner
Admitted in Florida, New York and Texas

Direct phone: 305.537.2002

Direct fax: 305.537.2001

andrew.spector@spectorrubin.com

November 14, 2023

VIA ECF

Honorable Louis L. Stanton
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Dyson, Inc. v. Kuehne + Nagel Inc. d/b/a Blue Anchor America Line v. MSC Mediterranean Shipping Company S.A.
Southern District of New York Case No. 1:23-cv-08684-LLS to make commitments

Dear Judge Stanton,

The undersigned represents Defendant/Third-Party Plaintiff, Kuehne + Nagel Inc. d/b/a Blue Anchor America Line ("K+N") in the above-captioned matter. The foregoing is submitted pursuant to Your Honor's Individual Practices and is submitted with the consent of all Parties. The case is currently set for an Initial Pre-Trial Conference on November 17, 2023, at 2:30 p.m. (ECF 20). *11/15/23*

The undersigned counsel for K+N respectfully submits that he has other litigation matters scheduled on Friday November 17, 2023, and will be out of this jurisdiction. Further, another attorney at the undersigned law firm on this matter (Troy H. Geisser) who otherwise could have covered is unavailable on Friday, November 17, 2023. Accordingly, the undersigned counsel respectfully requests that this Court allow the undersigned counsel to appear telephonically at the Initial Pre-Trial Conference on November 17, 2023, at 2:30 p.m.

Further, the undersigned counsel respectfully submits that counsel for Third-Party Defendant, MSC Mediterranean Shipping Company S.A. ("MSC") has recently reached out to counsel for K+N and that MSC has not yet appeared in the instant action. As such, in the alternate, the undersigned counsel respectfully requests that this Court grant an adjournment of the Initial Pre-Trial Conference on November 17, 2023, at 2:30 p.m. We note that this is the Parties' first request for an adjournment of the Conference.

The undersigned counsel has conferred with respective counsel for Plaintiff, Dyson, Inc. ("Dyson"), and Third-Party Defendant, MSC, and both Parties consent to the requested relief; however, we note that counsel for MSC is unavailable on Friday for the Conference and will be submitting its own request for relief.

3250 Mary Street, Suite 405, Miami, Florida 33133
11 Broadway, Suite 615, New York, New York 10004
www.spectorrubin.com

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We appreciate Your Honor's consideration of this request for an accommodation to allow for remote appearance and/or an adjournment of the Initial Pre-Trial Conference. Thank you.

Respectfully submitted,

SPECTOR RUBIN, P.A.

Andrew Spector

Andrew R. Spector

cc: All Counsel of Record (via ECF)