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May 30, 2024

VIA ECF

Honorable Margaret M. Garnett
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, New York 10007

Re: Ian DiFalco v. SoulCycle LLC
Civil Action No. 24-cv-03103 (MMG)

Dear Judge Garnett:

We represent defendant SoulCycle LLC (“SoulCycle”) in this matter. We are writing, pursuant to Section I(B)(5) of Your Honor’s rules, to respectfully request that the parties’ June 11, 2024 initial pretrial conference (and their related June 4, 2024 submission deadline) be adjourned *sine die*.

The reason for this request is because it is SoulCycle’s position that there is a binding arbitration agreement governing the claims in this lawsuit, and SoulCycle will be filing a pre-answer motion to compel arbitration on an individual basis. Furthermore, SoulCycle will also be moving to dismiss the complaint because it fails to state a claim under the Telephone Consumer Protection Act.

Additionally, SoulCycle respectfully requests that the Court approve the following proposed briefing schedule for the motion to accommodate the professional and personal schedules of counsel:

1. SoulCycle will file its moving papers by June 21, 2024;
2. Plaintiff will file opposition papers by July 19, 2024; and
3. SoulCycle will file reply papers by August 9, 2024.

This is SoulCycle's first request to adjourn the initial pretrial conference. Plaintiff does not consent to this request.

Respectfully submitted,

Jared E. Blumetti

Patrick McPartland
Jared E. Blumetti

cc: Counsel of record (via ECF)

Application GRANTED. All current dates and deadlines, including the Initial Pretrial Conference, are hereby ADJOURNED *sine die*. It is hereby ORDERED that the parties shall follow the below briefing schedule: Defendant's consolidated motion to compel arbitration on an individual basis and motion to dismiss shall be due no later than **June 21, 2024**; Plaintiff's consolidated opposition shall be due no later than **July 19, 2024**; and Defendant's consolidated reply shall be due no later than **August 9, 2024**.

It is further ORDERED that the parties shall meet and confer for at least thirty minutes in a good-faith attempt to settle this action. No later than **June 17, 2024**, the parties shall submit a joint letter confirming the meet-and-confer has occurred (including who participated from each side and whether the meeting was in person, via video, or by phone), and indicating whether both parties believe alternative dispute resolution is viable, including any request to refer this case to mediation or to the Magistrate Judge for a settlement conference.

SO ORDERED. Date: 6/3/2024.



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE