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November 22, 2024

VIA ECF FILING

Hon. P. Kevin Castel, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 11D
New York, New York 10007

Re: Sherwin K. Parikh MD, P.C. d/b/a Tribeca Skin Center v. accessibe, Inc.;
1:24-cv-04848-PKC

Dear Judge Castel:

Counsel for the parties in the above-referenced action submit this joint letter with regard to the November 8, 2024 Scheduling Order and subsequent Set/Reset Deadlines Order entered by the Court. The Scheduling Order provides that Defendant may file its dismissal motion by December 5, with Plaintiff's opposition filed by January 9, and Defendant's reply filed by January 23. The Scheduling Order also gave Plaintiffs until December 20 to file a motion to amend their Amended Complaint. The Court's subsequent Set/Reset Deadlines provides, "Motions due by 12/20/2024. Responses due by 1/9/2025 Replies due by 1/23/2025."

The Parties met to avoid any deadline confusion, and present the following briefing schedule which accommodates party and attorney travel and holiday conflicts:

- 12/20/24: Defendant's Motion to Dismiss
- 01/09/25: Plaintiffs' Motion to Amend (if any)
- 01/24/25: Plaintiffs' Opposition
- 02/07/25: Defendant's Reply

The parties jointly ask the Court to confirm these deadlines which will alleviate any confusion in the Set/Reset Deadlines Order and accommodate party and attorney schedules.

Thank you for your attention to this matter.

Respectfully submitted,

The Scheduling Order of November 8 remains in full force and effect except that defendant may file its motion to dismiss by December 20, plaintiff shall respond by Jan 24, 2025 and defendant may reply by Feb 7, 2025.

The date by which a motion to amend may be made as set forth in paragraph 2 of the Order is extended to Jan 9, 2025.

Letter (ECF 28) is terminated

SO ORDERED

W. H. T.

USDJ

11-26-24

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