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March 10, 2025

VIA ECF

Hon. Margaret M. Garnett, U.S.D.J.
U.S. District Court for the Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square, Courtroom 906
New York, NY 10007

Re: Dr. Douglas John Anderson, M.D. v. Carelon Behavioral Health, Inc, et al.,
Case No.: 1-24-cv-09260

Dear Judge Garnett:

This firm represents Defendants Carelon Behavioral Health, Inc. (“Carelon”), Elevance Health, Inc. (“Elevance,” improperly named in the Complaint as “The Elevance Health Companies, Inc.”), Hossam Mahmoud, Peter Haytaian, David J. Wolfe, Fatimah Ann Tahil, and Suzanne Rumsey (hereafter, the “Defendants”) in the above matter. We write pursuant to Rule I(B)(5) of Your Honor’s Individual Rules to respectfully request an adjournment of the Initial Pretrial Conference (scheduled for March 19, 2025, at 4:00 p.m.) and the deadline to submit a proposed Civil Case Management Plan and Scheduling Order (hereafter, the “Scheduling Order”) and joint letter to the Court (scheduled for March 12, 2025).

On March 5, 2025, Defendants filed a Partial Motion to Dismiss the Amended Complaint (the “Motion to Dismiss”). (ECF Nos. 23-24.) Given that the motion is pending before the Court, Defendants respectfully request that the Initial Pretrial Conference and the corresponding deadline to file the Scheduling Order and joint letter be adjourned *sine die*, pending the resolution of Defendants’ Motion to Dismiss. *See, e.g., Beckford v. Aviles-Ramos*, No. 24-cv-9930-MMG, ECF No. 20 (S.D.N.Y. Mar. 3, 2025) (“The Initial Pretrial Conference scheduled for March 4, 2025, is hereby ADJOURNED *sine die*, pending the resolution of Defendants’ motion to dismiss[.]”).

This is Defendants’ second request for an adjournment of the Initial Pretrial Conference and the deadline to submit a proposed Scheduling Order and joint letter. This application is being made in good faith and not to cause undue delay. If granted, this request will not impact any other scheduled dates.

This office has communicated with Plaintiff’s counsel, and Plaintiff consents to the relief requested herein.

We thank the Court in advance for its time and attention to this matter.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ Howard Wexler

Howard Wexler

cc: All counsel of record (via ECF)

GRANTED. The Initial Pretrial Conference scheduled for March 19, 2025, and the corresponding deadline to file the parties' joint letter and proposed Civil Case Management Plan are hereby ADJOURNED *sine die*, pending the resolution of Defendants' motion to dismiss. The Clerk of Court is respectfully directed to terminate Dkt. No. 26.

SO ORDERED. Dated March 11, 2025.



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE