

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK****KRISTY RELLA ,****Plaintiff,****- against -****WESTCHESTER BMW, INC., et al.,****Defendants.****ORDER****16CV916 (LMS)****LISA MARGARET SMITH, U.S.M.J.<sup>1</sup>**

This case is set for trial on July 6, 2020. Due to the circumstance of the coronavirus - COVID-19 stay at home order the Court is unable to hold jury trials in the immediate future, including July, and therefore the trial is adjourned without date. The earliest anticipated date for jury trials is expected to be in September or later. The Court does expect to be able to conduct bench trials in July and August, with the possibility of some witnesses appearing remotely by video. It is therefore ordered that counsel in this matter confer with one another as soon as reasonably possible to determine whether they would jointly consent to a bench trial. The parties should inform the Court by letter filed on ECF no later than June 19, 2020. If counsel do consent to a bench trial, then the undersigned must seek reassignment of such a trial to a different Magistrate Judge in White Plains, as the parties have had a settlement conference presided over by the undersigned; if counsel do not consent to a bench trial and would like to schedule a further settlement conference, then contact the undersigned's chambers to schedule such a conference. In the event that a jury trial will go forward before the undersigned, then any

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<sup>1</sup> The parties have consented to the undersigned's exercise of jurisdiction over this matter pursuant to 28 U.S.C. § 636(c). Consent Order, ECF No. 188.

*in limine* motions, and any required pre-trial submissions, are to be filed 21 days before the scheduled trial; opposition to any *in limine* motion will be due 14 days before the scheduled trial; replies will not be permitted.

This constitutes the Decision and Order of the Court.

Dated: May 12, 2020  
White Plains, New York

**SO ORDERED,**

A handwritten signature in cursive script that reads "Lisa Margaret Smith".

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Lisa Margaret Smith  
United States Magistrate Judge  
Southern District of New York