

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

RICKY KAMDEN-OUAFFO,

Plaintiff,

v.

ORDER

BALCHEM CORP., et al,

17-CV-2810 (PMH)

Defendants.

-----X

PHILIP M. HALPERN, United States District Judge:

On December 23, 2020, Magistrate Judge Davison issued a Report and Recommendation in which he recommended that the Court grant Defendants’ motion for sanctions and dismiss the action with prejudice. (Doc. 225). The next day, on December 24, 2020, Plaintiff filed an “Application For Pre-Motion Conference Regarding The Muslim Plaintiff’s Rule 72(b) Motion To Reject Magistrate Davison’s [ECF# 225] R&R.” (Doc. 229). On December 31, 2020, Defendants filed a letter opposing Plaintiff’s request for a pre-motion conference (Doc. 233), and, on January 4, 2021, Plaintiff filed a Reply to his pre-motion conference request (Doc. 234).

Federal Rule of Civil Procedure 72(b)(2) provides:

Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. A party may respond to another party's objections within 14 days after being served with a copy. Unless the district judge orders otherwise, the objecting party must promptly arrange for transcribing the record, or whatever portions of it the parties agree to or the magistrate judge considers sufficient.

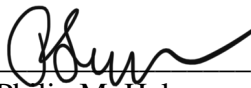
Thus, no pre-motion conference is required prior to Plaintiff filing his Objections to the Magistrate Judge’s Report and Recommendation. This Court’s Individual Practices specifically exempts objections to a Magistrate Judge’s Report and Recommendation from the pre-motion conference requirement. (Individual Practices Rule 2(C) (“[A] pre-motion conference is required

prior to the filing of any motion, except . . . objections to Magistrate Judges' rulings"). Accordingly, Plaintiff's request for a pre-motion conference in anticipation of filing his Objections to the Magistrate Judge's Report and Recommendation is denied an unnecessary.

In accordance with Rule 72 and the Report and Recommendation, Plaintiff shall, by January 11, 2021, file his Objections to the Report and Recommendation (Doc. 225). Alternatively, by January 11, 2021, Plaintiff may notify the Court that the Court should construe Doc. 229 as his Objections to the Report and Recommendation. Pursuant to Rule 72, Defendants may respond to Plaintiff's Objections to the Report and Recommendation within 14 days of being served a copy of same. No Reply will be permitted.

SO ORDERED:

Dated: New York, New York
January 4, 2021



Philip M. Halpern
United States District Judge