

## SUSSMAN & ASSOCIATES

MICHAEL H. SUSSMAN  
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September 16, 2022 – via ECF

Hon. Philip Halpern  
United States District Court – SDNY  
300 Quarropas Avenue  
White Plains, NY 10601

Application granted. The pre-motion conference scheduled for 9/20/2022 is adjourned to 11/10/2022 at 10:30 a.m. to be held in Courtroom 520. By 10/7/2022, defendants shall serve plaintiff with their revised Rule 56.1 Statement; by 10/21/2022, plaintiff shall serve her responses and counterstatement on defendants; by 10/28/2022, defendant shall respond to plaintiff's counterstatement and file via ECF a pre-motion letter explaining the changes made to the Rule 56.1 Statement and the basis for their anticipated motion, together with a copy of the revised Rule 56.1 Statement; and by 11/4/2022, plaintiff shall file her response to the pre-motion letter.

SO ORDERED.

  
Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
September 16, 2022

Re: *Tyson v. Ramapo, 17 cv 4990 (PH)*

Dear Judge Halpern,

I represent plaintiff and write on consent of defendants' counsel, to request an adjournment of the conference scheduled for this coming Tuesday, 20 September. The reasons follow:

At our last pre-motion conference, after hearing extensively from counsel, the Court directed defendants' counsel to provide unredacted documents relating to the status of ten other members of the Town police department. On August 23, 2022, defendants' counsel complied and produced about 600 pages of detailed personnel records. Both counsel agree that these records bear on defendants' proposed motion for summary judgment and, more specifically, defendants' Rule 56.1 statement and my response thereto and counterstatement. We also believe that for this scheduled pre-motion conference with Your Honor to be maximally productive, it makes the most sense for Mr. Dorfman to amend his prior Rule 56.1 submission and for me to have the chance then to respond to his new statement. A conference held with Your Honor before that will not permit the Court to have the benefit of the expected Rule 56.1 submissions and this will necessarily lead to a much less informed and productive conference.

Counsel have conferred and Mr. Dorfman has advised me that he needs until October 7, 2022 to serve me with his revised Rule 56.1 statement. I should be able to provide him with my response and counterstatement for filing per this court's practice rules by October 21, 2022.

Accordingly, we would respectfully request that a conference be scheduled sometime thereafter to allow for a full discussion of the proposed motion and the relevant and surrounding facts.

Thank you for your consideration in this regard.

Respectfully submitted,

  
Michael H. Sussman

cc: Mr. Dorfman