

**NEWMAN FERRARA** LLP

1250 Broadway, 27th Fl., New York, NY 10001  
tel. 212-619-5400 • fax 212-619-3090  
www.nflfp.com

February 8, 2021

Hon. Phillip M. Halpern  
United States District Judge  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10610

Re: *Pateman v. The City of White Plains, et al.*  
Index No. 17 CV 6156 (PMH)

Your Honor:

On January 12, 2021, the Court ordered the parties to submit by February 8, 2021 a joint letter regarding trial availability for the second quarter of 2021 (Dkt. No. 110). Instead of following this order, Defendants filed a letter motion seeking to stay the trial of the above captioned case (Dkt. No. 111). Prior to the filing of this “motion,” Defendant did not seek consent of counsel. Moreover, instead of requesting a pre-motion conference as indicated in Your Honor’s Individual Rules, Defendant filed their purported motion in violation of the Court’s rules. *See* Court’s Individual Practices (1)(C) and (2)(C).

Accordingly, we are requesting that the Court deny the motion as improperly filed, or, in the alternative, afford Plaintiff five business days to respond.

Application denied. See Doc. 113. The Clerk is directed to terminate ECF No. 112.

SO ORDERED.



Philip M. Halpern, U.S.D.J.

Dated: New York, NY  
February 9, 2021

Respectfully submitted,

NEWMAN FERRARA LLP

s/ Randolph M. McLaughlin

Randolph M. McLaughlin  
Debra S. Cohen  
*Counsel for Plaintiff*

cc: All counsel via ECF