

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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ALESSI EQUIPMENT, INC.,

Plaintiff,

-against-

AMERICAN PILEDIVING EQUIPMENT,
INC.,

Defendant.

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AMERICAN PILEDIVING EQUIPMENT, INC.,

Counterclaim-Plaintiff,

-against-

ALESSI EQUIPMENT, INC.,

Counterclaim-Defendant.

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ORDER

18 Civ. 3976 (JCM)

Pursuant to the Court’s rulings on the record, the parties are hereby instructed as follows:

By close of business on May 4, 2022, the parties are directed to (1) advise the Court whether they wish to pursue a mediation with another Magistrate Judge; and (2) file a revised Joint Pretrial Order, which includes (a) the parties’ previously-filed supplements thereto; (b) Alessi Equipment, Inc.’s (“Alessi”) revised damages computation; (c) clarification regarding whether Alessi seeks punitive damages; (d) any additional arguments to be made at trial, and the parties’ respective positions thereon; and (e) revised exhibit lists, with Alessi’s exhibits identified by numbers and American Piledriving Equipment, Inc.’s (“APE”) exhibits identified by letters. Alessi is also directed to serve a revised exhibit list and copies of its exhibits (in electronic and hard-copy form), consistent with the Court’s Orders dated April 13 and 28, 2022. Alessi’s exhibits must be marked.

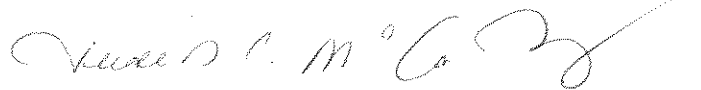
By close of business on May 4, 2022, APE is also directed to (1) advise the Court of any revisions to its position regarding Alessi's motion *in limine*; (2) file any further motions *in limine* regarding Alessi's revised damages computation; and (3) serve updated discovery, to the extent it exists, relating to APE's sales of equipment and parts covered by the 2012 Distribution Agreement between 2020 and 2022.

By close of business on May 6, 2022, Alessi must file (1) its response to APE's revised position, if any; and (2) its opposition to APE's new motions *in limine*, if any. APE's reply, if any, is due May 9, 2022.

By May 9, 2022, the parties are further directed to file updated proposed jury instructions.

Dated: May 2, 2022
White Plains, New York

SO ORDERED:



JUDITH C. McCARTHY
United States Magistrate Judge