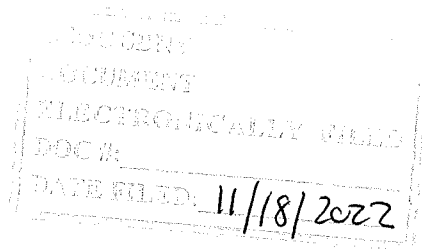


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
A.S., an infant by and through his mother and :
natural guardian Tara Moccio, :
Plaintiff, :
 :
v. :
 :
CONNECTICUT POWER FIT EXPO LLC, :
ANTHONY COGLIANDRO, and DONALD :
RODRIGUES; :
Defendants. :
-----X

ORDER

22 CV 6223 (VB)

In response to the Court’s November 15, 2022, Order, plaintiff filed three different Notice, Consent, and Reference of a Civil Action to a Magistrate Judge forms, each of which was signed by the attorney for one of plaintiff, defendant Connecticut Power Fit Expo LLC, and defendant Donald Rodrigues. (See Docs. ##32-1, 32-2, 32-3). None of the forms includes a signature from pro se defendant Anthony Cogliandro, and plaintiff’s letter attaching the seriatim forms says the parties have not heard from defendant Cogliandro.

Because a magistrate judge may exercise authority over all proceedings in this action only if all parties voluntarily consent, 28 U.S.C. § 636(c)(1), plaintiff and defendants Connecticut Power Fit Expo and Donald Rodrigues cannot consent to proceed before the magistrate judge without the consent of defendant Anthony Cogliandro.

Therefore, the parties’ request to proceed before the assigned magistrate judge for all purposes is DENIED WITHOUT PREJUDICE to refile with the signature of defendant Cogliandro (unless Cogliandro is dismissed from the case or is otherwise no longer a party).¹

Plaintiff is directed to serve a copy of this Order on defendant Cogliandro by email by end of day today, November 18, 2022, and to file proof of such service on the ECF docket by November 21, 2022.

Dated: November 18, 2022
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge

¹ Should the parties refile a proposed consent form, they should file one form executed by all parties.