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May 8, 2024

**VIA ECF**

Hon. Philip M. Halpern  
United States District Court  
Southern District of New York  
300 Quarropas Street, Courtroom 520  
White Plains, New York 10601

Re: *Seon Young Park v. MGM Yonkers, Inc.*, 7:23-CV-08831 (PMH)

Dear Judge Halpern:

This office represents the defendant MGM Yonkers, Inc. d/b/a Empire City Casino at Yonkers Raceway ("MGM") in the above-referenced matter. We respectfully write to request a pre-motion discovery conference to address the outstanding discovery in this matter. In addition, we respectfully request the Court grant an enlargement of time to complete discovery and conduct depositions. This is MGM's first request for an enlargement of time to complete discovery, and Plaintiff's counsel has not responded to our request for their consent to this proposed enlargement of time.

Pursuant to Your Honor's March 7, 2024 Scheduling Order, initial requests for production were to be served by April 7, 2024. On March 27, 2024, MGM served its initial request for production (*see* DOC. 25, the "Initial Demands"). To date, our office has not received Plaintiff's responses to the Initial Demands despite our prior requests. While Plaintiff's counsel previously and informally provided several HIPAA authorizations to obtain some of Plaintiff's medical treatment records, we have not received any other materials from Plaintiff responsive to MGM's Initial Demands, including authorizations to obtain Plaintiff's treatment records related to her prior, continued and current medical treatment. In addition, while Plaintiff's counsel previously indicated Plaintiff is asserting a claim for lost wages, we have not received authorizations to obtain her employment records and/or tax returns.

Pursuant to the Scheduling Order, non-expert depositions are scheduled to be completed by June 28, 2024. The Plaintiff's failure to provide the above outstanding discovery severely prejudices MGM's ability to process the outstanding authorizations and obtain the relevant records before the deadline to conduct the Plaintiff's deposition. Therefore, MGM respectfully requests a pre-motion discovery conference to address the above outstanding discovery. Further, given the time required to process the outstanding authorizations and obtain the relevant records, MGM respectfully requests a sixty (60) day enlargement of time to complete non-expert depositions in this matter, provided that Plaintiff's complete responses to MGM's Initial Demands are furnished by a date certain.

Hon. Philip M. Halpern  
May 8, 2024  
Page 2

Thank you for Your Honor's consideration of this request.

Respectfully submitted,



Christopher J. Kantor

cc: Counsel of record via ECF

Application denied without prejudice. To the extent Defendant seeks a pre-motion conference in connection with a discovery dispute, that application is denied without prejudice for failure to comply with the Court's Individual Practices. Defendant may renew its request by filing a joint letter as set forth in Rule 4(D) or a letter explaining why it is unable to comply with that requirement, and which includes details concerning counsel's efforts to meet and confer. Defendant may also renew its request to extend the time to complete discovery in any such future submission.

SO ORDERED.



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Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
May 9, 2024