

# ORANGE COUNTY DEPARTMENT OF LAW



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November 21, 2024

Via ECF

Hon. Kenenth M. Karas  
United States District Judge  
Hon. Charles L. Brieant Jr.  
Federal Building and Courthouse  
300 Quarropas Street  
White Plains, NY 10601

Re: Culbreth v. Orange County, et al.  
Case No.: 7:24-cv-00075-KMK(VR)  
**Request for Adjournment of Pre-Motion Letter Deadline, Case Mgmt. Conf.**

Dear Judge Karas:

This office represents defendants County of Orange, Officer Joseph Cappelli, and Officer Daniel Cappelli (“County Defendants”) in the above matter.

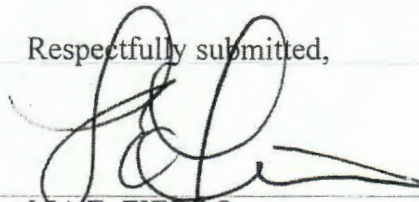
County Defendants write to request an adjournment of the pre-motion letter deadline and corresponding Case Management Conference. No prior request for an adjournment of either deadline has been made. This request is made in light of the significant delay in Plaintiff’s responses to County Defendants’ discovery demands and interrogatories.

Pursuant to the Case Management Plan, County Defendants served *County Defendants’ First Demand for Documents to Plaintiff* and *County Defendants’ First Set of Interrogatories to Plaintiff* on June 28, 2024. Plaintiff failed to respond. After multiple Status Conferences, letters and phone calls on the subject, County Defendants sought leave for and ultimately filed a motion for sanctions against Plaintiff under F.R.C.P. 37. Only after that motion was filed, did County Defendants receive responses from Plaintiff, on or about November 1, 2024. The motion was just

denied as moot by Magistrate Judge Reznik on November 15, 2024, and County Defendants seek to take Plaintiff's deposition before the end date set for discovery of December 31, 2024.

In light of this significant delay occasioned by Plaintiff, County Defendants respectfully request an extension of time in which to write and file their pre-motion letter, from December 15, 2024, to February 14, 2025, and an adjournment of the corresponding Case Management Conference, which is presently scheduled for January 15, 2024, to a date and time convenient for the Court. In that regard, I note that I plan to be away and will be unavailable from March 26, 2025, through April 1, 2025.

Respectfully submitted,



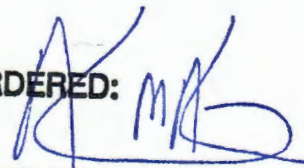
LIA E. FIERRO  
Assistant County Attorney

LEF:ct

cc: Kareem H. Culbreth, DIN #24B1316  
Mid-State Correctional Facility  
9005 Old River Road  
P.O. Box 2500  
Marcy, New York 13403

*Granted. The conference  
will be rescheduled to  
April 9, 2025 at 11:00 AM*

SO ORDERED:



HON. KENNETH M. KARAS U.S.D.J.

*11/25/2024*