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September 18, 2024

VIA ECF

The Honorable Arun Subramanian
United States District Judge
United States District Court Southern District of New York
500 Pearl Street
New York, New York 10007

Re: S. Black v. Qwick, Inc. and Jill Erickson
Case No.: 1:24-cv-03942(AS)

Your Honor:

We represent Defendants Qwick, Inc. and Jill Erickson (“Defendants”) in the above referenced matter. The parties submit this joint letter seeking a stay *sine die* of all deadlines in this matter as the parties are scheduled to engage in private mediation before Mediator Julie Kowitz Margolies on October 15, 2024. This is the first request for a stay due to a pending mediation, and the parties wish to focus their efforts and resources on potential resolution at the upcoming mediation. In the event the mediation fails, the parties respectfully suggest providing the Court a status update seven days after the failed mediation to suggest updated dates within the applicable Civil Case Management Plan.

To the extent Your Honor is not willing to grant a stay, the parties request, in the alternative, a 45-day extension of time for all deadlines in this matter contained within the Civil Case Management Plan and Scheduling Order. This would include:

- The deadline to complete mediation pursuant to the Automatic Referral to Mediation dated August 21, 2024 Order from October 10, 2024 until **November 15, 2024**.
- Section 5(c) Experts: Disclosure of experts from November 1, 2024 until **December 16, 2024**, and opposition to same from November 15, 2024 until **December 30, 2024**.
- Section 5(d) Deposition: From December 17, 2024 until **January 31, 2025**.

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- Section 5(f) All Discovery to be Completed: From December 17, 2024 until **January 31, 2025**.
- Section 6 Post-Discovery Summary Judgment Motion: Moving papers from January 16, 2025 until **March 3, 2025**; Opposition papers from February 17, 2025 until **April 3, 2025**; and Rely papers from March 3, 2025 until **April 17, 2025**.

This is the first request to adjourn the dates in the Civil Case Management Plan and Scheduling Order, and all parties consent.

Counsel remains available should Your Honor require additional information regarding this submission.

Respectfully submitted,
JACKSON LEWIS P.C.

By: Timothy Domanick
Timothy Domanick
Taylor M. Ferris

cc: All counsel of record (via electronic case filing).

4870-8683-3894, v. 1

The parties' requests are DENIED. The Court does not stay or adjourn deadlines on account of settlement talks. And the parties can always modify interim discovery or other deadlines by consent. As for the end of discovery and summary judgment, if the parties want some additional breathing room, they should make a specific application indicating the reasons why additional time is needed and demonstrating that the parties have used diligence to meet the existing deadlines. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 17.

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: September 18, 2024