



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NEW YORK 10007

ZACHARY W. CARTER
Acting Corporation Counsel

RYAN G. SHAFFER
Assistant Corporation Counsel
E-mail: rshaffer@law.nyc.gov
Phone: (212) 356-2386
Fax: (212) 788-9776

February 10, 2014

BY ECF

Honorable Robert W. Sweet
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Schoolcraft v. The City of New York, et al.
10 CV 6005 (RWS)

Your Honor:

I am the Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to represent the City Defendants in the above-referenced matter. City Defendants write to respectfully request that the City's letter motion dated January 30, 2014, which sought to preclude plaintiff from relying, in any way whatsoever, on documents and witnesses which he was ordered to identify no later than January 22, 2014, be deemed fully briefed and unopposed.

As the Court may recall, defendant City served its letter motion on plaintiff and the Court on January 30, 2014. (See Docket Entry No. 214.) Pursuant to this Court's Order opposition papers, if any, were to be served in accordance with Local Civil Rule 6.1. (See Docket Entry No. 215.) According to Local Civil Rule 6.1, an opposition is to be served within seven days after service of the moving papers, and thus, plaintiff's opposition, if any, should have been served upon the undersigned on or before February 6, 2014. As of this writing, however, no opposition has been served on City Defendants, nor has plaintiff sought an extension of time to oppose the City Defendants' motion. As no opposition has been served, there is no need for a reply brief. Therefore, City Defendants respectfully request that the motion be deemed fully briefed and unopposed and that the Court so-order the City Defendants' previously requested Proposed Order.

Sincerely yours,

/s

Ryan G. Shaffer
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Nathaniel Smith (By ECF)
Attorney for Plaintiff
111 Broadway, Suite 1305
New York, New York 10006

Gregory John Radomisli (By ECF)
MARTIN CLEARWATER & BELL LLP
Attorneys for Jamaica Hospital Medical Center
220 East 42nd Street 13th Floor
New York, NY 10017

Brian Lee (By ECF)
IVONE, DEVINE & JENSEN, LLP
Attorneys for Dr. Isak Isakov
2001 Marcus Avenue, Suite N100
Lake Success, New York 11042

Bruce M. Brady (By ECF)
CALLAN, KOSTER, BRADY & BRENNAN, LLP
Attorneys for Lillian Aldana-Bernier
1 Whitehall Street
New York, New York 10004

Walter A. Kretz , Jr. (By ECF)
SCOPPETTA SEIFF KRETZ & ABERCROMBIE
Attorney for Defendant Mauriello
444 Madison Avenue, 30th Floor
New York, NY 10022