



THE CITY OF NEW YORK
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VIA ECF

The Honorable Jessica G.L. Clarke
United States District Judge
Southern District of New York
300 Quarropas St.
White Plains, N.Y. 10601

Re: SeanPaul Reyes v. City of New York, 23 Civ. 6369 (JGLC)

Your Honor:

I am a Senior Counsel in the office of Steven Banks, Corporation Counsel of the City of New York, representing defendant City of New York in the above referenced matter. We write jointly with plaintiff's counsel in accordance with the Court's status report order.

The parties respectfully submit their proposed second amended case management order herewith. Before the stay went into effect, the parties had largely completed written and document discovery, and had begun depositions. As a result of the Second Circuit and New York Court of Appeals' decisions, the City intends to renew its motion to dismiss the Fourth, Fifth and Sixth claims in plaintiff's operative amended complaint. Plaintiff's counsel has agreed to get back to me as to whether plaintiff agrees to dismiss his Fourth and Fifth claims, but not his Sixth claim.

The parties are available for a conference with the Court should the Court so desire.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Mark D. Zuckerman
Mark D. Zuckerman
Senior Counsel

cc: All Counsel (via ECF)