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May 31, 2023

VIA ECF

Honorable P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: Roberto Mata v. Avianca, Inc No.: 22-cv-1461 (PKC)

Dear Judge Castel:

We represent Steven A. Schwartz (“Mr. Schwartz”) and Levidow, Levidow & Oberman, P.C. (the “Firm”) in the above action in connection with the Order to Show Cause dated May 26, 2023. (Docket Entry No. 33, the “OSC”.) The OSC instructs Mr. Schwartz and the Firm, as well as Peter LoDuca (“Mr. LoDuca”), to submit written responses to the OSC by June 2, 2023, prior to the next conference before Your Honor currently scheduled for June 8, 2023. We write to respectfully request that the Court modify the current schedule so that Mr. Schwartz, the Firm as well as Mr. LoDuca are permitted to file written submissions in response to the OSC by June 6, 2023.

We were only recently retained in this matter and are still getting up to speed. I am also scheduled to be traveling for work-related events June 1-2, 2023, as is my partner, Ronald Minkoff who has also appeared in this matter. Additionally, Mr. LoDuca, who is also named in the OSC, has recently retained Catherine M. Foti of Morvillo Abramowitz Grand Iason & Anello PC, who will appear on his behalf and joins in this request.

If the Court grants this request and decides to move the June 8 hearing date, we respectfully request that the Court set the hearing for either June 20 or June 23, or another date that is convenient for the Court’s schedule.¹ There has been no prior request for extension of the June 6, 2023 submission date. Defendant has been notified of and consents to this request.

Thank you in advance for your kind consideration.

Respectfully submitted,

/s/ Tyler Maulsby

Tyler Maulsby

cc: All Counsel (via ECF)
Catherine M. Foti, Esq.

¹ In the event the Court wishes to move the June 8 hearing, we have conferred with Mr. LoDuca’s counsel and Defendant’s counsel and June 20 and 23 are dates on which all parties are available.