

and subsequent order solely concerned the motion for summary judgment and did not even mention the motion to dismiss. The Court will endeavor to correct the error in the docket entry.


The Court considers Defendant's filing of a motion to address this issue unnecessary; in the future, a simple letter by mail or fax requesting clarification would suffice.

Defendant's motion in the alternative to extend the deadline is DENIED. The deadline for Defendant's reply remains September 9, 2011.

Defendant's request for an extension of the page limit for its reply in support of their motion to dismiss is GRANTED. Defendant may file a reply brief of up to seventeen pages.

As to Defendant's request for leave to file a surreply, the Court denies the request as premature. As the Plaintiff's reply has not yet been filed, the Court cannot now determine whether any "new or unexpected" arguments or issues will be raised that would necessitate a surreply. Defendant may renew its request after the reply brief is submitted if new issues are raised in Plaintiff's reply.

SO ORDERED:



BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
September 6, 2011