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December 2, 2011

VIA ECF

Hon. David R. Homer, U.S. Magistrate Judge
James T. Foley U.S. Courthouse
445 Broadway, Room 441
Albany, New York 12207

Re: Pope, et al. v. County of Albany, et al., Index No. 11-cv-0736 (LEK/DRH)

Dear Magistrate Judge Homer:

We represent the Plaintiffs in the above-referenced action. Pursuant to Federal Rule of Civil Procedure 16(b)(4), we are writing to request that the Court modify the Scheduling Order (Dkt. 83). Plaintiffs have asked Defendants whether they oppose the request, but have not yet heard back.

The Scheduling Order currently has a January 5, 2012 deadline for motions to amend pleadings, but a December 2, 2011 deadline for motions to join additional parties. Plaintiffs request that the Scheduling Order be amended so that January 5, 2012 is the deadline for both motions to amend pleadings and motions to join additional parties. Plaintiffs intend to move for leave to add named plaintiffs to the action.

Should Your Honor wish to discuss this matter, we are available for a telephone conference at the Court's convenience. We are available to speak any time today other than between 10:45 am and 12:15 pm.

Sincerely,



Paul DerOhannesian II, Esq.
DerOhannesian & DerOhannesian

Mitchell Karlan, Esq.
Gibson, Dunn & Crutcher LLP

Attorneys for Plaintiffs

GRANTED.

David R. Homer
U.S.M.J.
12/5/11