

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ENZO BIOCHEM, INC., *et al.*,

Plaintiffs,

-v-

AFFYMETRIX, INC.,

Defendant.

No. 04 Civ. 1555 (RJS)
ORDER

AFFYMETRIX, INC.,

Plaintiff,

-v-

ENZO BIOCHEM, INC., *et al.*,

Defendants.

No. 03 Civ. 8907 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of Greenberg Traurig's letter, dated April 4, 2014, seeking permission to file a motion for an adjournment of the trial in the above-referenced matters, currently set for May 12, 2014. The letter has yet to be publicly docketed because Greenberg Traurig's adjournment request discusses its pending motion to withdraw as counsel of record. Accordingly, Greenberg Traurig has submitted a proposed redacted version of its letter, which the Court has reviewed. The Court finds that Greenberg Traurig has overcome the presumption in favor of open records articulated in *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006). IT IS HEREBY ORDERED THAT Greenberg Traurig shall docket its proposed

redacted version of the adjournment request and shall file its unredacted letter under seal. In the interest of judicial economy, IT IS FURTHER ORDERED THAT Greenberg Traurig's motion to adjourn is deemed made without a pre-motion conference. Nevertheless, the Court will reserve decision on the adjournment motion until after it has ruled on Greenberg Traurig's motion to withdraw.

SO ORDERED.

DATED: April 8, 2014
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE