

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 a letter from Enzo Biochem, Inc. and Enzo Life Sciences (collectively, Enzo), dated April 8, 2014, responding to 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. Enzo's letter has yet to be publicly docketed because Enzo's response to the adjournment request discusses Greenberg Traurig's pending motion to withdraw as counsel of record. Accordingly, Enzo has submitted a proposed redacted version of its letter, which the Court has reviewed. The Court finds that Enzo 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 Enzo shall docket its proposed redacted version of the adjournment request and shall file its unredacted letter under seal. As stated in the Court's April 8, 2014 Order, 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 9, 2014  
New York, New York

A handwritten signature in black ink, appearing to read 'R. Sullivan', written over a horizontal line.

RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE