



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

BARBARA D. UNDERWOOD  
Acting Attorney General

STATE COUNSEL DIVISION  
Litigation Bureau

Writer Direct: (518) 776-2620

May 16, 2018

Hon. Christian F. Hummel  
U.S. Magistrate Judge  
U.S. District Court  
Northern District of New York

Re: *Vidurek, et al. v. Cuomo, et al.*, USDC-NDNY No. 1:18-CV-392 (MAD/CFH)

Dear Judge Hummel:

On this date, the Defendants filed a motion to dismiss this entire action under FRCP Rule 12(b)(6). (The return date for this motion is presently June 19, 2018.) Consequently, the Defendants respectfully ask this Court to take the FRCP Rule 16 Conference off of the Court's calendar until a decision is issued on the motion. (The Rule 16 Conference is presently scheduled for July 2, 2018 at 10:30 AM.)

Thank you for your consideration of this matter.

Respectfully yours,

*s/ Michael McCartin*

Michael G. McCartin

Assistant Attorney General

Bar Roll No. 511158

Email: [michael.mccartin@ag.ny.gov](mailto:michael.mccartin@ag.ny.gov)

cc: Mr. John Vidurek  
Plaintiff Pro Se  
3979 Albany Post Road  
Hyde Park, NY 12538