



**STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL**

ERIC T. SCHNEIDERMAN
Attorney General

STATE COUNSEL DIVISION
Litigation Bureau

Writer Direct: 518/776-2621

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VIA CM/ECF

Hon. John G. Koeltl
U.S. District Court Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *UnitedHealthcare of New York, at al. v. Maria Vullo, 17-cv-7694*

Dear Judge Koeltl:

I represent Defendant Vullo in the above captioned matter. Please accept this letter brief as Defendant's formal opposition to Plaintiffs' Motion to Expedite Briefing and Decision on Plaintiffs' Motion for Injunction Pending Appeal [Dkt. No. 74].

This Court issued its Opinion and Order granting Defendant's Motion to Dismiss on August 13, 2018 [Dkt. No. 66]. Inexplicably, despite now claiming an exigent need for relief by September 15, 2018, Plaintiffs delayed their own submission of the instant motions for eleven (11) days. Without addressing this delay, they now ask the Court to truncate briefing schedules and expedite decision based on scheduling considerations in their own convenience exclusively.

Plaintiffs' contention that their request to expedite Defendant's opposition papers to September 4, 2018 – the day after the Labor Day holiday – is not prejudicial, fails to take into consideration the already tight briefing schedule facing Defendant and the prospect of prior commitments.

In short, Defendant requests the entirety of the briefing time to oppose Plaintiffs' injunction, and, in light of Plaintiffs' own delay in their submissions, the deadlines should not be expedited.

Respectfully submitted,

C. Harris Dague

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Assistant Attorney General

cc: Plaintiffs' Counsel (via CM/ECF)