

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT GEISER, et al., *on behalf of themselves and all others similarly situated,*

Plaintiffs,

-v-

THE SALVATION ARMY,

Defendant.

22-CV-1968 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

For reasons the Court will explain orally at the conference referenced below, Defendant’s motion to dismiss for failure to state a claim, ECF No. 85, is DENIED. Defendant shall answer the Second Amended Complaint **within fourteen days** in accordance with Rule 12(a)(4)(A) of the Federal Rules of Civil Procedure. In addition, the parties shall appear for a telephonic initial pretrial conference on **March 29, 2023, at 12:00 p.m.**

In accordance with the previously filed Notice of Initial Pretrial Conference (“Notice”), *see* ECF No. 41, the parties shall file a joint letter and proposed Case Management Plan by the Thursday before the initial pretrial conference. In addition to the issues referenced in the Notice, the parties should confer about, and be prepared to address at the conference, whether and to what extent discovery can and should be coordinated with the other two cases (22-CV-1250 (N.D. Ill.) and 22-CV-979 (N.D. Ga.)); whether Defendant would consent to preliminary certification of a collective action; deadlines for collective action motion practice and/or submission of a proposed notice; and a schedule for class certification motion practice.


To access the conference, counsel should call 888-363-4749 and use access code 5421540#. Members of the press and public may call the same number but will not be permitted to speak

during the conference. The parties are reminded to follow the procedures for teleconferences described in the Court's Individual Rules and Practices for Civil Cases, which are available at <https://nysd.uscourts.gov/hon-jesse-m-furman>. Among other things, those procedures require counsel to provide advance notice of who will participate in the conference and the telephone numbers they will use to participate.

The Clerk of Court is directed to terminate ECF No. 85.

SO ORDERED.

Dated: March 15, 2023
New York, New York



JESSE M. FURMAN
United States District Judge