

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SENIOR HEALTH INSURANCE COMPANY OF :
PENNSYLVANIA, :

Plaintiff, :

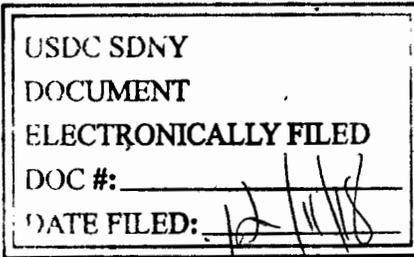
-v- :

18-cv-6658 (JSR)

BEECHWOOD RE LTD., B ASSET MANAGER, :
L.P., BEECHWOOD BERMUDA :
INTERNATIONAL, LTD., BEECHWOOD RE :
INVESTMENTS, LLC a/k/a BEECHWOOD RE :
INVESTORS, LLC, MOSHE M. FEUER :
a/k/a MARK FEUER, SCOTT A. TAYLOR, :
DAVID I. LEVY, DHRUV NARAIN, and :
JOHN DOES 1-10, :

ORDER

Defendants. :
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JED S. RAKOFF, U.S.D.J.

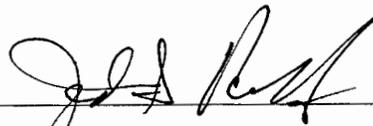
In an action factually related to this action, defendant David Levy is facing criminal prosecution in the Eastern District of New York. See United States v. Nordlicht et al, 16-cr-640 (E.D.N.Y.). At a hearing before this Court on November 13, 2018, Levy's counsel made an application for Levy to be severed as a defendant in this case so that Levy could devote his time and resources to his criminal prosecution. See Transcript dated November 13, 2018 at 37:21-38:7. The Court declined to rule on the motion at that time, in part because the trial in the criminal action might move or otherwise resolve. In the event, the trial was moved, but it is now set to begin February 19, 2019. Accordingly, in a phone conference on

December 6, 2018, Levy's counsel renewed his application for a severance. Plaintiff opposed.

While it is clear to the Court that Levy needs to give priority to his preparation for his criminal trial, the appropriate remedy is not severance. Instead, the Court hereby postpones Levy's discovery obligations until two weeks after the conclusion of his criminal trial. Postponing Levy's discovery obligations may or may not ultimately necessitate alterations to the civil case management plan entered by the Court on September 7, 2018. ECF No. 55. However, counsel for all other parties should proceed for the time being in accordance with the current case management plan. Within two days following the culmination of Levy's criminal trial, Levy's counsel is hereby instructed to convene a joint conference call to chambers with counsel for all other parties in order to determine whether any further scheduling alterations are necessary.

SO ORDERED.

Dated: New York, NY
12/10/ 2018



JED S. RAKOFF, U.S.D.J.