

CLOSED, ECF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-cv-06321-DAB**

United States Of America v. Larkspur LLC et al
Assigned to: Judge Deborah A. Batts
Cause: 42:405 Fair Housing Act

Date Filed: 09/09/2011
Date Terminated: 01/26/2012
Jury Demand: None
Nature of Suit: 443 Civil Rights:
Accommodations
Jurisdiction: U.S. Government Plaintiff

Plaintiff

United States Of America

represented by **Brian Marc Feldman**
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TERMINATED: 10/06/2011
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V.

Defendant

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Defendant

Larkspur Managers, LLC

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Defendant

Larsen Shein Ginsberg Snyder LLC

represented by **Douglas J. Lutz**
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Cross Claimant**Larkspur Managers, LLC**

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Cross Claimant**Larkspur LLC**

represented by **Kenneth Gary Roberts**
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V.

Cross Defendant**Larsen Shein Ginsberg Snyder LLC**

Date Filed	#	Docket Text
09/09/2011	<u>1</u>	COMPLAINT against Larkspur LLC, Larkspur Managers, LLC, Larsen Shein Ginsberg Snyder LLC. Document filed by United States Of America.(ama) (Entered: 09/12/2011)
09/09/2011		SUMMONS ISSUED as to Larkspur LLC, Larkspur Managers, LLC, Larsen Shein Ginsberg Snyder LLC. (ama) (Entered: 09/12/2011)
09/09/2011		Magistrate Judge Andrew J. Peck is so designated. (ama) (Entered: 09/12/2011)
09/09/2011		Case Designated ECF. (ama) (Entered: 09/12/2011)
09/12/2011	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Larkspur LLC, Larkspur Managers, LLC.(Roberts, Kenneth) (Entered: 09/12/2011)
09/12/2011	<u>3</u>	ANSWER to <u>1</u> Complaint., CROSSCLAIM against Larsen Shein Ginsberg Snyder LLC. Document filed by Larkspur Managers, LLC, Larkspur LLC.(Roberts, Kenneth) (Entered: 09/12/2011)
10/05/2011	<u>4</u>	CONSENT JUDGMENT # 11,1915 in favor of United States Of America against Larkspur LLC, Larkspur Managers, LLC, in the amount of \$ 35,000. (Signed by Judge Deborah A. Batts on 10/05/2011) (Attachments: # <u>1</u> Notice of Right to Appeal)(jnm) (Entered: 10/05/2011)
10/05/2011	<u>5</u>	Filed APPENDIX A re Public and Common Use Areas. Document filed by Larkspur LLC. (cd) (Entered: 10/06/2011)

10/06/2011	<u>6</u>	CONSENT ORDER GRANTING SUBSTITUTION OF ATTORNEY: Carina H Schoenberger is substituted in place of Brian M Feldman for the United States of America. (Signed by Judge Deborah A. Batts on 10/6/2011) (cd) (Entered: 10/06/2011)
10/07/2011	<u>7</u>	CERTIFICATE OF SERVICE. Larkspur LLC served on 9/14/2011, answer due 10/5/2011. Service was accepted by Kenneth G. Roberts. Document filed by United States Of America. (Schoenberger, Carina) (Entered: 10/07/2011)
10/07/2011	<u>8</u>	CERTIFICATE OF SERVICE. Larkspur Managers, LLC served on 9/14/2011, answer due 10/5/2011. Service was accepted by Kenneth G. Roberts. Document filed by United States Of America. (Schoenberger, Carina) (Entered: 10/07/2011)
10/07/2011	<u>9</u>	CERTIFICATE OF SERVICE. Larsen Shein Ginsberg Snyder LLC served on 9/14/2011, answer due 10/5/2011. Service was accepted by Michael Rogers. Document filed by United States Of America. (Schoenberger, Carina) (Entered: 10/07/2011)
10/11/2011	<u>10</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Larsen Shein Ginsberg Snyder LLC.(Lutz, Douglas) (Entered: 10/11/2011)
10/11/2011	<u>11</u>	ANSWER to <u>3</u> Crossclaim. Document filed by Larsen Shein Ginsberg Snyder LLC.(Lutz, Douglas) (Entered: 10/11/2011)
10/12/2011	<u>12</u>	ENDORSED LETTER addressed to Judge Deborah A. Batts from Priya Swaminathan dated 10/11/2011 re: We represent defendant Larsen Shein Ginsberg Snyder LLP ("Larsen Shein") in an action before this Court titled US v. Larkspur, 11 Civ. 6321 and write to respectfully request that Larsen Shein's time to respond to the complaint be extended to October 12, 2011. ENDORSEMENT: Granted NPT 10/05/11. Further requests shall be timely. (Signed by Judge Deborah A. Batts on 10/12/2011) (lmb) (Entered: 10/12/2011)
10/12/2011	<u>13</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION to Dismiss. Document filed by Larsen Shein Ginsberg Snyder LLC. Responses due by 11/7/2011 (Attachments: # <u>1</u> Memo of Law, # <u>2</u> Affidavit)(Lutz, Douglas) Modified on 10/13/2011 (db). (Entered: 10/12/2011)
10/12/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Douglas J. Lutz to RE-FILE Document <u>13</u> MOTION to Dismiss. ERROR(S): Supporting Documents are filed separately, each receiving their own document #. (db) (Entered: 10/13/2011)
10/13/2011	<u>14</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU/DEFICIENT DOCKET ENTRY – FIRST MOTION to Dismiss <i>Complaint</i> . Document filed by Larsen Shein Ginsberg Snyder LLC. Responses due by 11/7/2011 (Attachments: # <u>1</u> Notice of Motion, # <u>2</u> Affidavit)(Swaminathan, Priya) Modified on 10/14/2011 (ldi). (Entered: 10/13/2011)
10/13/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Priya Swaminathan to RE-FILE Document <u>14</u> FIRST MOTION to Dismiss <i>Complaint</i> . Use the event type Memorandum of Law in Support of Motion found under the event list Replies, Opposition and Supporting Documents. You must file the "Notice of Motion" document first using the Motion to Dismiss event, then re-file the Memorandum of Law and link to the motion. (ldi) (Entered: 10/14/2011)
10/13/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Priya Swaminathan to RE-FILE Document <u>14</u> FIRST MOTION to Dismiss <i>Complaint</i> . ERROR(S): Supporting documents must be filed separately, each receiving their own document number. You must re-file the "Notice of Motion" document first, then file the supporting documents separately and link to the motion. Memorandum of Law and Affidavit in Support of Motion are both found under the event list Replies, Opposition and Supporting Documents. (ldi) (Entered: 10/14/2011)
10/17/2011	<u>15</u>	MOTION to Dismiss <i>to Dismiss the Complaint</i> . Document filed by Larsen Shein Ginsberg Snyder LLC. Responses due by 11/2/2011(Swaminathan, Priya)

		(Entered: 10/17/2011)
10/17/2011	<u>16</u>	AFFIDAVIT of Michael T. Rogers in Support re: <u>15</u> MOTION to Dismiss <i>to Dismiss the Complaint</i> .. Document filed by Larsen Shein Ginsberg Snyder LLC. (Swaminathan, Priya) (Entered: 10/17/2011)
10/17/2011	<u>17</u>	MEMORANDUM OF LAW in Support re: <u>15</u> MOTION to Dismiss <i>to Dismiss the Complaint</i> .. Document filed by Larsen Shein Ginsberg Snyder LLC. (Swaminathan, Priya) (Entered: 10/17/2011)
10/26/2011	<u>18</u>	ENDORSED LETTER addressed to Judge Deborah A. Batts from Li Yu dated 10/25/2011 re: requesting that the briefing schedule for the motion to dismiss be adjourned by 30 days. If granted, the Government's opposition papers will due by November 26, 2011, and the Architect's reply papers will due on December 6, 2011. ENDORSEMENT: GRANTED SO ORDERED.(Responses due by 11/26/2011, Replies due by 12/6/2011.) (Signed by Judge Deborah A. Batts on 10/26/2011) (ama) (Entered: 10/26/2011)
01/09/2012	<u>19</u>	ORDER: Accordingly, Plaintiff is hereby ORDERED TO SHOW CAUSE why its cause of action against Defendant Larsen Shein Ginsberg Snyder LLC should not be dismissed for failure to prosecute. See <i>Lyell Theatre Corp. v. Loews Corp.</i> , 682 F.2d 37, 42 (2d Cir. 1982) (holding that a district court's authority to dismiss an action for plaintiff's failure to prosecute "cannot seriously be doubted"). If Plaintiff fails by February 10, 2012 to show cause, Plaintiff's cause of action against Defendant Larsen Shein Ginsberg Snyder LLC shall be dismissed for failure to prosecute. Plaintiff's showing of good cause, if any, shall be made by affidavit. (Signed by Judge Deborah A. Batts on 1/9/2012) (mro) (Entered: 01/10/2012)
01/26/2012	<u>20</u>	CONSENT JUDGMENT # 12,0139 in favor of United States Of America against Larsen Shein Ginsberg Snyder LLC for civilpenalty in the amount of \$ 20,000.00. (Signed by Judge Deborah A. Batts on 1/25/12) (Attachments: # <u>1</u> Notice of Right to Appeal)(dt) (Entered: 01/26/2012)