

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

MONROE RE, LLC	:	Case No. 3:21-cv-00078 (MPS)
and CT YA SERVICES, LLC,	:	
d/b/a NEWPORT ACADEMY,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
TOWN OF FAIRFIELD, CONNECTICUT	:	
and BRENDA L. KUPCHICK, individually	:	
and in her official capacity as First	:	
Selectwoman of the Town of Fairfield,	:	
	:	
Defendants.	:	November 4, 2021

JOINT MOTION FOR REFERRAL FOR A SETTLEMENT CONFERENCE

Plaintiffs Monroe RE LLC and CT YA Services LLC d/b/a Newport Academy (hereinafter, “Newport” or “Plaintiffs”) and Defendants the Town of Fairfield and Brenda Kupchick (hereinafter, “Defendants”) respectfully request that the Court issue an Order referring them to Magistrate Judge Thomas Farrish for a settlement conference and that the Court simultaneously stay formal discovery during the next 45 to 60 days while the parties try to resolve this dispute. In support of this motion, the parties represent as follows:

1. The parties have engaged in significant written discovery, which has included the exchange of thousands of pages of records, written interrogatories, and requests to admit.
2. The parties are on the precipice of noticing depositions, and engaging in costly expert discovery, which will impose a significant financial burden and a commitment of time and resources, which the parties would like to avoid, if possible.

3. Counsel for the parties have met and conferred on multiple occasions, including on or about July 26, 2021, August 25, 2021, September 10, 2021, and October 25, 2021, regarding discovery, efforts to narrow the issues in dispute, and options for resolving this litigation.

4. The parties have considered the desirability of participating in non-binding mediation with a Magistrate Judge. The parties request Magistrate Judge Thomas Farrish as he recently successfully resolved a case with a very similar fact pattern. Given the complexity of the issues in this case, the parties believe Judge Farrish's expertise may best result in an expeditious resolution.

5. In order to conserve time and resources, the parties respectfully request that discovery be stayed while they mediate this dispute. If the case does not fully resolve during mediation, which the parties expect will take approximately 45 to 60 days, depending on the availability of a Magistrate Judge to help facilitate settlement discussions, the parties request that a new scheduling order be issued that would move the current dates by the same amount of time as the stay.

WHEREFORE, the parties jointly request that they be referred to Magistrate Judge Thomas Farrish for a settlement conference, and they request that discovery be stayed for 45 to 60 days, while the parties focus their efforts on mediation.

By: /s/ Michael Allen

Michael Allen
Tara Ramchandani
Zoila Hinson,
RELMAN COLFAX PLLC
1225 Nineteenth Street, Suite 600
Washington, DC 20036
(202) 728-1888
mallen@relmanlaw.com
tramchandani@relmanlaw.com
zhinson@relmanlaw.com

David Thomas
Greenberg Traurig LLP
One International Place, Suite 2000

Boston, MA 02110
(617) 310-6085
thomasda@gtlaw.com

Brian Rich
Halloran & Sage LLP
One Goodwin Square
225 Asylum Street
Hartford, CT 06103
(860) 297-4698
rich@halloransage.com

Attorneys for Plaintiffs

By: /s/ James N. Tallberg
James N. Tallberg (ct17849)
Dennis Durao (ctt29271)
Karsten & Tallberg, LLC
500 Enterprise Dr., Suite 4B
Rocky Hill, CT 06067
(860)233-5600
(860)233-5800
jtallberg@kt-lawfirm.com
ddurao@kt-lawfirm.com

Douglas J. Varga (ct18885)
Scott R. Lucas (ct00517)
LUCAS & VARGA LLC
2425 Post Road, Suite 200
Southport, CT 06890
(203) 227-8400
(203) 227-8402 (fax)
dvarga@lucasvargalaw.com
slucas@lucasvargalaw.com

Attorneys for Defendants

CERTIFICATION

I hereby certify that a copy of the foregoing Stipulation was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

Dated at Southport, Connecticut this 4th day of November 2021.

/s/ Michael Allen

Michael Allen