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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID A. JOFFE,
:
:
Plaintiff, :
:
-against- :
:
KING & SPALDING LLP, :
:
:
Defendant. :
----- X

17-CV-3392 (VEC)

ORDER TO SHOW CAUSE

VALERIE CAPRONI, United States District Judge:

WHEREAS Mr. Joffe brought an ERISA claim and a New York state common law claim under *Wieder v. Skala*, 80 N.Y.2d 628 (1992) against King & Spalding, Compl., Dkt. 1;

WHEREAS on November 10, 2020, the parties stipulated to a non-jury trial on the ERISA claim, Dkt. 258;

WHEREAS on November 11, 2020, the Court informed the parties that it would decide the ERISA claim after the jury returned a verdict on the *Wieder* claim, Dkt. 259; and

WHEREAS on November 29, 2021, the jury returned a verdict in favor of King & Spalding on Mr. Joffe's *Wieder* claim;

IT IS HEREBY ORDERED that by no later than **Friday, December 17, 2021**, Mr. Joffe must show cause why judgment should not be entered in King & Spalding's favor on his ERISA claim given the record developed at trial.

SO ORDERED.

**Date: November 30, 2021
New York, NY**



**VALERIE CAPRONI
United States District Judge**