

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/20/09

----- x
IN RE SEPTEMBER 11 LITIGATION

:
: **SCHEDULING ORDER**
:

: 21 MC 101 (AKH)
:

: 04 Civ. 7272 (AKH)
:

----- x
ALVIN K. HELLERSTEIN, U.S.D.J.:

Asserting standing as claimants to a limited fund, the World Trade Center Properties Plaintiffs moved on February 12, 2009 for summary judgment dismissing all subrogation claims against the Aviation Defendants in the 21 MC 101 docket.

The Aviation Defendants moved for the same relief on March 13, 2009.

On March 30, 2009, the defendants in 04 Civ. 7272, a case relating to 7 World Trade Center and administered in the 21 MC 101 docket, moved for partial summary judgment dismissing the subrogation claims asserted against them in that action.

Each motion presents the same question regarding the New York law of subrogation rights. The parties shall appear before me for oral argument on the motions on June 16, 2009, at 4:00 p.m. The Aviation Defendants will present the principal argument on behalf of the movants. The other movants will be heard only to the extent that they assert separate grounds for the relief sought.

SO ORDERED.

Dated: May 20, 2009
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge