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January 13, 2026

VIA E-MAIL

Hon. Joan M. Azrack
United States District Court
100 Federal Plaza
Central Islip, NY 11722

Re: *Cement and Concrete Workers DC Benefit Fund v. New York and Presbyterian Hospital Corp.*, No. 25-cv-5571 (E.D.N.Y.) – Consolidation with Related Matter

Dear Judge Azrack:

We represent the Plaintiff in the above-captioned matter (“*Cement Workers*”). At yesterday’s initial conference before Magistrate Judge Shields addressing both this matter and the related matter *UFCW v. New York and Presbyterian Hospital Corp.*, 25-cv-5023-ENV (E.D.N.Y.) (“*UFCW*”), Judge Shields informed the Parties that she does not have the authority to rule on the identical, unopposed motions to consolidate pending in both matters (*Cement Workers*, ECF Nos. 18 & 19; *UFCW*, ECF Nos. 23 & 24), and that either this Court or Judge Vitaliano (presiding in *UFCW*) must do so.

Plaintiff writes to reiterate the Parties’ request to consolidate. All Parties agree that the matters should be consolidated, for the reasons outlined in the Parties’ prior filings. ECF Nos. 18 & 19. Further, consolidation now would enable the Parties to proceed expeditiously and efficiently with litigating these actions, both of which have been on file for over 3 months without an answer or motion to dismiss from Defendant. With the consolidation motions outstanding, the Parties have been unable to move this case forward.

Plaintiff further submits that the matters should be consolidated in front of this Court, rather than the Court in Brooklyn, given that (1) this Court sits in Islip, where both Plaintiffs initially sought to bring their action, *see* ECF No. 15, and (2) Judge Shields, who also sits in Islip, has already reviewed the initial papers in the case and indicated at yesterday’s conference that she is ready to begin managing discovery in a consolidated action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Crooks'. The signature is fluid and cursive, with the first letter 'J' being particularly large and stylized.

Jamie Crooks, Esq.
Managing Partner
FAIRMARK PARTNERS, LLP

cc (via electronic mail): All Counsel of Record (via CM/ECF)