

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALEX BERENSON,

Plaintiff,

-against-

JOSEPH R. BIDEN, JR., President of the United  
States, in his official capacity, et al.,

Defendants.

23-CV-3048 (JGLC)

**ORDER**

JESSICA G. L. CLARKE, United States District Judge:

The Court has received Plaintiff's motion for leave to file an amended complaint. *See* ECF No. 80. Defendants previously moved to dismiss Plaintiff's Complaint. *See* ECF Nos. 38, 40, 44. The Court was scheduled to hear oral argument on those motions on September 12, 2024. The Court construes Plaintiff's motion for leave to file an amended complaint as mooted the underlying motions to dismiss and cancels oral argument. The parties shall comply with the following briefing schedule:

- Defendants' opposition to Plaintiff's motion for leave to amend and any renewed motion to dismiss: **September 20, 2024.**
- Plaintiff's reply in support of his leave to amend and opposition to any renewed motion to dismiss: **October 4, 2024.**
- Defendants' reply in support of any renewed motion to dismiss: **October 11, 2024.**

The Clerk of Court is directed to terminate ECF Nos. 38, 40, and 44 and to lift the stay.

Dated: September 5, 2024  
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE  
United States District Judge