

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

William Kolbert,

Plaintiff(s),

-against-

**JOINT PROPOSED
CIVIL CASE MANAGEMENT PLAN**

Civ. 1:25-cv-00117-FB-VMS

Benworth Capital Partners LLC;
Benworth Capital Partners PR LLC;
Benworth Financial LLC;
Bernardo Navarro a/k/a Bernardo E. Navarro;
Claudia Navarro a/k/a Claudia Pezzia Navarro;
Oto Analytics, LLC f/k/a Oto Analytics, Inc.,
d/b/a Womply; and Toby Scammell a/k/a
Toby G. Scamell;

Defendant(s).

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The parties/counsel who conferred in drafting this joint proposed case management plan:

For Plaintiff: Petroff Amshen, LLP appearance by Serge F. Petroff

For Defendants Benworth Capital Partners LLC, Benworth Capital Partners PR LLC, Benworth Financial LLC, Bernardo Navarro a/k/a Bernardo E. Navarro and Claudia Navarro a/k/a Claudia Pezzia Navarro: Holland & Knight, appearance by Sean C. Sheely and Carolina Lopez.

For Defendants Oto Analytics, LLC f/k/a/ Oto Analytics, Inc., d/b/a Womply and Toby Scammell: Wilkie Farr & Gallagher LLP, appearance by Alyxandra Vernon, Alexander L. Cheney and Stuart R. Lombardi.

- A. Do the parties request referral to the Court's ADR program? Yes: No: X
- B. Do the parties consent to proceed before a Magistrate Judge pursuant to 28 U.S.C. § 636(c)?
- Yes: If yes, fill out the AO 85 Notice, Consent and Reference of a Civil Action to a Magistrate Judge Form and file it on ECF. <https://www.uscourts.gov/forms/civil-forms/notice-consent-and-reference-civil-action-magistrate-judge>.
- No: X If no, do not indicate which party declines consent.
- C. The parties may wish to engage in settlement discussions.
If so, Plaintiff(s) will serve demand by May 30, 2025. Defendant(s) will respond by June 5, 2025.
- D. Defendant(s) will answer or otherwise respond to complaint by May 30, 2025, if not yet done.

The parties will serve Rule 26(a)(1) initial disclosures by June 19, 2025, if not yet done.

The parties will serve initial document requests and interrogatories on or before August 11, 2025. Any joinder and/or amendments of the pleadings must be made by September 5, 2025.

The parties will complete fact discovery by January 23, 2026.

If the parties perform expert discovery, they will serve initial disclosures by February 23, 2026; initial expert reports by March 2, 2026; and rebuttal expert reports on or before March 16, 2026. All discovery, including expert depositions, will be completed by April 9, 2026, and the parties will file a joint letter certifying the close of all discovery by this same date.

Other considerations the parties wish to bring to the Court's attention, such as the need for electronic discovery or confidentiality order.