

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED MEDIA HOLDINGS, NV,
et ano,

Petitioners,

16-cv-5926 (PKC)

-against-

ORDER

FORBES MEDIA, LLC,

Respondent.

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CASTEL, U.S.D.J.

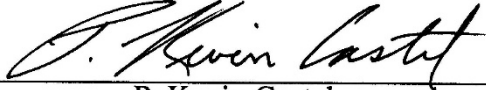
Petitioners filed a petition to vacate an arbitration award on July 16, 2016. The respondent filed a response on August 15, 2016 and the petitioners filed their reply on September 30, 2016. By letter dated October 20, 2016, petitioners seek discovery in aid of their petition and also to amend their petition.

The Court will proceed to adjudicate the fully-submitted petition. In the course of adjudicating the petition, the Court will consider petitioners' arguments in support of an amendment of the petition and post-award discovery. Proceedings under title 9 are intended as expedited proceedings. By statute, "[a]ny application to the court [under title 9] shall be made and heard in the manner provided by law for the making and hearing of motions, except as otherwise herein expressly provided." 9 U.S.C. § 6. While discovery is not foreclosed, the type of discovery sought here is limited to situations where clear evidence of impropriety has been presented. See Matter of Andros Compania Maritima, S.A. (Marc Rich & Co., A.G.), 579 F.2d 691, 702 (2d Cir. 1978).

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Application (Doc 27) is DENIED without prejudice to consideration in the context of the fully submitted petition to vacate. Petitioners may submit a marked-to-show changes copy of a proposed amended petition by November 4, 2016. The Court will advise if it requires any response from respondent.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
November 1, 2016