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**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

YONG F. KE, GUO W. LI, LI R. YOU, LI S. YOU, and ZHI L. XIE,

Plaintiffs,

v.

85 FOURTH AVENUE INC., HEONG G. CHIN a.k.a. ROSIE CHIN, CHIN CHEOW CHIN a.k.a. PATRICK CHIN a.k.a. CHIN C. HEOW a.k.a. CHIN C. CHEOW, L S RESTAURANT INC., and LINDA CHEN,

Defendants.

07 Cv. 6897 (BSJ)(JCF)

**Order**

**BARBARA S. JONES**
**UNITED STATES DISTRICT JUDGE**

As the parties have mutually consented to a bench trial on all counts in the above-captioned matter, Plaintiff's Motion to Strike Defendants' Untimely Jury Demand and for a Separate Bench Trial as to Counts I, II, III, IV and V of the Second Amended Complaint is DISMISSED as moot.

SO ORDERED:

Barbara S. J

**BARBARA S. JONES**
**UNITED STATES DISTRICT JUDGE**

Dated: New York, New York
October 19, 2009