

LAW OFFICE OF  
**JUSTIN A. ZELLER, P.C.**

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## MEMO ENDORSED


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The application is   x   granted  
 \_\_\_\_\_ denied

March 11, 2022

**VIA ECF**

Hon. Edgardo Ramos, United States District Judge  
 United States District Court for the Southern District of New York  
 Thurgood Marshall United States Courthouse

  
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 Edgardo Ramos, U.S.D.J  
 Dated:   3/11/2022    
 New York, New York

Re: *Alvarado Balderramo et al v. Go New York Tours Inc. et al*, 15 CV 2326 (ER)

Dear Judge Ramos:

This firm represents the plaintiffs and class in the above-referenced action. The plaintiffs move to extend plaintiffs' deadline to oppose defendants' motion for summary judgment and cross-move for summary judgment from April 1, 2022, to April 22, 2022; to extend defendants' deadline to respond from April 29, 2022, to May 23, 2022, and to extend plaintiffs' deadline to reply from May 13, 2022, to June 6, 2022. This request is plaintiffs' first, and defendants do not consent.

Plaintiffs' motion requires submitting voluminous time and payroll records to the Court and quantifying known violations regarding unpaid overtime and late payments. Plaintiffs require additional time to compile the data on behalf of the 400 class members and present it to the Court in a coherent way. Plaintiffs have been analyzing many thousands of pages of time and payroll records which were produced piecemeal and in incomplete form. The analysis has required creating a massive spreadsheet on behalf of the 400 class members, which needs to be organized and analyzed further once all data is inputted. In addition, plaintiffs require additional time to convert the spreadsheet into a 56.1 statement with exhibits.

Complicating matters is that on January 26, 2022, plaintiffs received a response to a subpoena from one of defendants' payroll companies, Viventium. This response contained many thousands of pages of payroll records from 2015, 2016, and 2017, on behalf of the class. Plaintiffs have been in the process cross-checking these documents and mining payroll information from these documents that was not previously produced by defendants in discovery. In sum, plaintiffs have been diligently working to process all payroll and time records on behalf of the entire class but require more time to finalize the data entry and analysis for presentation to the Court.

I thank the Court for its time and consideration.

Respectfully submitted,

*John M. Gurrieri*

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