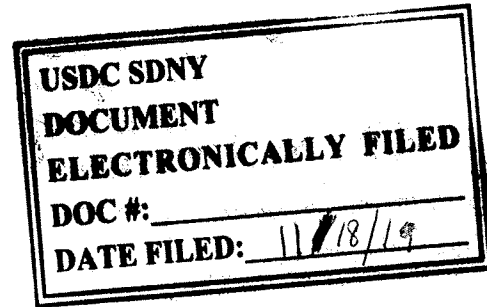


TROY LAW, PLLC  
John Troy (JT 0481)  
41-25 Kissena Blvd., Suite 119  
Flushing, NY 11355  
Tel: (718) 762-1324  
JohnTroy@TroyPllc.Com



*Attorney for the Named Plaintiffs, Proposed  
FLSA Collective Plaintiffs and Proposed Class*  
**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Case No: 15-CV-04433

~~PROPOSED~~ JUDGMENT

-----X  
TAO LI, FENG LIN CHI and YING CHAI HONG,  
*on behalf of themselves and others similarly situated*  
Plaintiffs,

v.

8868 CORP. d/b/a Vermicelli Restaurant,  
PHUC CHAU and  
THIEN CHAU a/k/a DANNY CHAU,  
Defendants.

-----X  
Upon reading and filing the annexed Affidavits of confession of Judgment, sworn to on the 9<sup>th</sup> day of February, 2019 by PHUC CHAU, THIEN CHAU and THIEN CHAU on behalf of 8868 CORP d/b/a Vermicelli Restaurant and on the presentation by TROY LAW, PLLC, attorneys for TAO LI, FENG LIN CHI, and YING CHAI HONG, it is hereby:

**ORDERED, ADJUDGED AND DECREED** that Tao Li, Feng Lin and Ying Cai Hong recover from PHUC CHAU, residing at 30 Brookfield Road, New Hyde Park, NY 11040; THIEN CHAU, residing 217 Chestnut Street, Apartment 2, Philadelphia, PA 19106 and 8868 CORP d/b/a Vermicelli Restaurant **jointly and severally** the sum of two hundred ten thousand dollars (\$210,000) (“Judgment Amount”) and that Plaintiffs have execution therefore.

**ORDERED, ADJUDGED AND DECREED** that upon presentation of certified copy of this Order, the County Registers for Philadelphia County of Pennsylvania and the Nassau County of New York shall record this judgment and index same as a lien against the real property which

is located at 217 Chestnut Street, Apartment 2, Philadelphia, PA 19106 and 30 Brookfield Road, New Hyde Park, NY 11040.

That if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgment shall automatically increase by fifteen percent, as required by NYLL §198(4).

Dated: November 18, 2019




---

Hon. **ROBERT W. LEHRBURGER**



7. On or around November 02, 2018, the Plaintiffs and Defendants executed a Settlement Agreement and General Release, (the "Agreement").
8. The agreement provides that Defendants will pay Two Hundred Ten Thousand Dollars (\$210,000.00).
9. If Defendants fail to make payments as outlined in Paragraph 8, Plaintiffs' may, with notice or demand, except as noted below, declare the entire sum then unpaid immediately due or payable. To exercise this right, Plaintiffs' shall notify Defendants' Attorney, Benjamin B. Xue, Esq., XUE & ASSOCIATES, P.C., 1 School Street, Suite 303A, Glen Cove, NY 11542, Tel: 2122192275, Email: benjaminxue@xuclaw.com, in writing of their intent to do so, and Defendants shall have ten (10) days to remedy their default.
10. If Defendants do not remedy the default within ten (10) days of Defendants' Attorney's receipt of such notice, I hereby authorize the entry of judgment against myself, jointly and severally with other Defendants, for the entire amount of Two Hundred Ten Thousand Dollars (\$210,000.00), plus statutory interest thereon for each day beginning on and inclusive of the entry of judgment until said amount is paid by Defendants, together with all costs and attorneys fees incurred by Plaintiffs' in connection with any efforts to enforced the confessed judgments less any payments made under the Agreement.
11. I am represented by counsel and have been fully advised in regard to this Agreement and Confession of Judgment.
12. I authorize entry of judgment in New York County, New York.
13. I hereby authorize this confessed judgment to be entered with the clerk of any court of competent jurisdiction.

Dated:

  
PHUC CHAU

Sworn to me this 8th day of Nov, 2018

  
Notary Public

AHMED TALAL SYED  
Notary Public, State of New York  
NO. 0156254495  
Qualified in Richmond County  
My Commission Expires Feb 13, 2021

**EXHIBIT C.**

\_\_\_\_\_ COURT  
COUNTY OF \_\_\_\_\_

Case No.

-----X  
TAO LI, FENGLIN CHI, and YING CAI HONG  
Plaintiffs,

**AFFIDAVIT OF CONFESSION  
OF JUDGMENT BY THIEN  
CHAU a/k/a Danny Chau**

v.  
8868 CORP. d/b/a Vermicelli Restaurant; ,  
PHUC CHAU, and  
THIEN CHAU a/k/a Danny Chau  
Defendants.

-----X  
STATE OF NEW YORK    )  
  ) ss:  
COUNTY OF NEW YORK )

THIEN CHAU a/k/a Danny Chau, being duly sworn, deposes and states as follows:

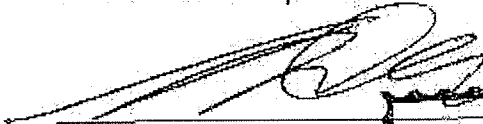
1. I am an adult individual residing at 217 Chestnut Street, Apartment 2, Philadelphia, PA 19106.
2. I am individually named as a Defendant in LI *et al.* v 8868 CORP. d/b/a Vermicelli Restaurant *et al.*, Civil Action No. Case No. 15-cv-04433 filed in the United States District Court for Southern District of New York (the "Lawsuit").
3. I make this affidavit pursuant to 3218 of the New York Civil Practice Law and Rules, in support of Plaintiffs' application for the entry of a judgment by confession against myself, in the sum of Two Hundred Ten Thousand Dollars (\$210,000.00), plus statutory interest thereon for each day beginning on and inclusive of the entry of judgment until said amount is paid by Defendants, together with all costs and attorneys fees incurred by Plaintiffs 'in connection with any efforts to enforced the confessed judgments less any payments made under the Agreement.
4. This confession of judgment is for a debt due to Plaintiffs' TAO LI, FENGLIN CHI, and YING CAI HONG (hereinafter "Plaintiffs").
5. The facts out of which the debt arose and the sum confession due is set forth below:
6. On June 08, 2015, TAO LI, FENGLIN CHI, and YING CAI HONG, through their attorneys, Troy Law, PLLC, filed a Complaint against Defendants in the United States District Court for the Southern District of New York (the "Court") alleging claims under the Fair Labor Standards Act ("FLSA) and the New York Labor Law (the "NYLL"), 15-cv-04433 (the "Complaint").

7. On or around November 02, 2018, the Plaintiffs and Defendants executed a Settlement Agreement and General Release, (the "Agreement").
8. The agreement provides that Defendants will pay Two Hundred Ten Thousand Dollars (\$210,000.00).
9. If Defendants fail to make payments as outlined in Paragraph 8, Plaintiffs' may, with notice or demand, except as noted below, declare the entire sum then unpaid immediately due or payable. To exercise this right, Plaintiffs' shall notify Defendants' Attorney Benjamin B. Xue, Esq., XUE & ASSOCIATES, P.C., 1 School Street, Suite 303A, Glen Cove, NY 11542, Tel: 2122192275, Email: benjaminxue@xuelaw.com, in writing of their intent to do so, and Defendants shall have ten (10) days to remedy their default.
10. If Defendants do not remedy the default within ten (10) days of Defendants' Attorney's receipt of such notice, I hereby authorize the entry of judgment against myself, jointly and severally with other Defendants, for the entire amount of Two Hundred Ten Thousand Dollars (\$210,000.00), plus statutory interest thereon for each day beginning on and inclusive of the entry of judgment until said amount is paid by Defendants, together with all costs and attorneys fees incurred by Plaintiffs' in connection with any efforts to enforced the confessed judgments less any payments made under the Agreement.
11. I am represented by counsel and have been fully advised in regard to this Agreement and Confession of Judgment.
12. I authorize entry of judgment in New York County, New York.
13. I hereby authorize this confessed judgment to be entered with the clerk of any court of competent jurisdiction.

Dated: Nov 9th 2018

  
 \_\_\_\_\_  
 THIEN CHAU a/k/a Danny Chau

Sworn to me this 9th day of Nov 2018

  
 \_\_\_\_\_  
 Notary Public

KEVIN L CHEN  
 Notary Public - State of New York  
 NO. 01CH6305856  
 Qualified in Kings County  
 My Commission Expires Jun 16, 2022

**EXHIBIT D.**

**COURT**

**COUNTY OF** \_\_\_\_\_

Case No.

-----X  
TAO LI, FENGLIN CHI, and YING CAI HONG

Plaintiffs,

**AFFIDAVIT OF CONFESSION  
OF JUDGMENT BY**

v.

8868 CORP. d/b/a Vermicelli Restaurant ,  
PHUC CHAU, and  
THIEN CHAU a/k/a Danny Chau

Defendants.

Name: Thien Chau

Title: President

for **8868 CORP. d/b/a Vermicelli  
Restaurant**

-----X

STATE OF NEW YORK )

) ss:

COUNTY OF NEW YORK )

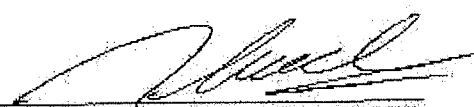
Thien Chau being duly sworn, deposes and states as follows:

1. I am an adult individual residing at 217 Chestnut Street, Apartment 2, Philadelphia, PA 19106
2. I am the President of Corporate Defendant 8868 CORP. d/b/a Vermicelli Restaurant, which is named as a Defendant in *LI et al. v 8868 CORP. d/b/a Vermicelli Restaurant et al.*, Civil Action No. Case No. 15-cv-04433 filed in the United States District Court for Southern District of New York (the "Lawsuit").
3. Deponent is duly authorized to make this affidavit on behalf of Corporate Defendant 8868 CORP. d/b/a Vermicelli Restaurant (the "Corporate Defendant").
4. I make this affidavit pursuant to 3218 of the New York Civil Practice Law and Rules, in support of Plaintiffs' application for the entry of a judgment by confession against myself, jointly and severally with other Defendants, in the sum of Two Hundred Ten Thousand Dollars (\$210,000.00), plus statutory interest thereon for each day beginning on and inclusive of the entry of judgment until said amount is paid by Defendants, together with all costs and attorneys fees incurred by Plaintiffs' in connection with any efforts to enforced the confessed judgments less any payments made under the Agreement.
5. This confession of judgment is for a debt due to Plaintiffs TAO LI, FENGLIN CHI, and YING CAI HONG (hereinafter "Plaintiffs").
6. The facts out of which the debt arose and the sum confession due is set forth below:
7. On June 08, 2015, TAO LI, FENGLIN CHI, and YING CAI HONG, through their attorneys, Troy Law, PLLC, filed a Complaint against Defendants in the United States District Court for the Southern District of New York (the "Court") alleging claims under

the Fair Labor Standards Act ("FLSA") and the New York Labor Law (the "NYLL"), 15-cv-04433 (the "Complaint").

8. On or around November 02, 2018, the Plaintiffs and Defendants executed a Settlement Agreement and General Release, (the "Agreement").
9. The agreement provides that Defendants will pay Two Hundred Ten Thousand Dollars (\$210,000.00).
10. If Defendants fail to make payments as outlined in Paragraph 9, Plaintiffs' may, with notice or demand, except as noted below, declare the entire sum then unpaid immediately due or payable. To exercise this right, Plaintiff shall notify Defendants' Attorney, Benjamin B. Xue, Esq., XUE & ASSOCIATES, P.C., 1 School Street, Suite 303A, Glen Cove, NY 11542, Tel: 2122192275, Email: benjaminxue@xuelaw.com, in writing of their intent to do so, and Defendants shall have ten (10) days to remedy their default.
11. If Defendants do not remedy the default within ten (10) days of Defendants' Attorney's receipt of such notice, I hereby authorize the entry of judgment against the Corporate Defendant 8868 CORP. d/b/a Vermicelli Restaurant for the entire amount of Two Hundred Ten Thousand Dollars (\$210,000.00), plus statutory interest thereon for each day beginning on and inclusive of the entry of judgment until said amount is paid by Defendants, together with all costs and attorneys fees incurred by Plaintiffs' in connection with any efforts to enforced the confessed judgments less any payments made under the Agreement.
12. I am represented by counsel and have been fully advised in regard to this Agreement and Confession of Judgment.
13. I authorize entry of judgment in New York County, New York.
14. I hereby authorize this confessed judgment to be entered with the clerk of any court of competent jurisdiction.

Dated: Nov 9th 2018

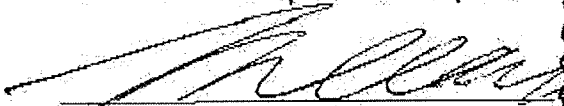


Name: JAMES CHAN

Title: President

for 8868 CORP. d/b/a Vermicelli Restaurant

Sworn to me this 9th day of Nov 2018



Notary Public

