

**TROY LAW, PLLC**

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December 23, 2019

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**Via ECF**Hon. Gregory H. Woods, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2260  
New York, NY 10007**MEMORANDUM ENDORSED**

**Re: Plaintiff's Letter to Show Cause as Why This Action Should Not Be Dismissed For failure To Prosecute and Leave to Extend Time to Submit the Order to Show Cause Materials against Defaulting Remaining Defendants:**  
*1:16-cv-05735-GHW Jianjun Chen v. 2425 Broadway Cha Restaurant, LLC d/b/a Ollie's To Go Restaurant et al*

Dear Hon. Judge Woods:

This office represents the Plaintiffs' in the above-referenced matter. We write respectfully to report to Your Honor about the current status of the case, and respectfully request the court, to not dismiss this action for failure to prosecute. Plaintiffs further respectfully request Your Honor's leave to extend time to file the Order to Show Cause materials against the Defaulting Defendants by December 26, 2019. Granting such request will not prejudice anyone as all the remaining Defendants are in Default.

On December 09, 2019, Your Honor ordered Plaintiffs to show cause as why this case should not be dismissed for failing to prosecute the case. The undersigned apologizes for not submitting the defaulting materials against the remaining Defendants timely. The reason for the delay is that the Clerk of Court requested that we re-serve "JOHN WANG" a/k/a CHAO CHING WANG and CINDY DOE a/k/a CINDY CHEAH. We filed a version of the Proof of Service for both on October 30, 2019. Upon realizing that the Proof of Service for CHAO CHING WANG is incorrect, however, we immediately reached out to the Process Server on numerous occasions by phone and by email. It was not until today, that we were able to file proof of service for Chao Ching Wang, on December 23, 2019 this morning and request for Clerk's Certificate of Default (See Docket No. 249). As to the Order to Show Cause, the paperwork will be ready for your Honor's review by December 26, 2019, subject to your Honor's schedule.

We thank the Court for its attention to and consideration of this matter.

Hon. Gregory H. Woods, U.S.D.J.

December 23, 2019

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Respectfully submitted,  
TROY LAW, PLLC

/s/ John Troy  
John Troy, Esq.  
*Attorney for Plaintiffs*


cc: via ECF  
all counsel of record

Application granted. The deadline for Plaintiffs to show cause why this case should not be dismissed for failure to prosecute is extended to January 2, 2020. The Court does not anticipate granting any further extensions of time.

Plaintiffs are directed to serve this order on Defendants and retain proof of service.

SO ORDERED.

Dated: December 26, 2019  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge