

TROY LAW, PLLC

ATTORNEYS / COUNSELORS AT LAW

Tel: (718) 762-1324 troylaw@troypllc.com Fax: (718) 762-1342

41-25 Kissena Boulevard, Suite 103, Flushing, NY 11355

December 18, 2019

Via ECF

Hon. Katharine H. Parker, U.S.M.J.
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, NY 10007

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>12/19/2019</u>

Re: Status Report and Letter Motion to Compel

1:17-cv-00816-LGS-KHP Tangtiwatanapaibul et al v. Tom & Toon Inc. et al

Dear Honorable Judge Parker:

Good afternoon your Honor. We respectfully submit this status report and request your Honor to compel Mr. Minsley to respond to our email with the revised settlement agreement dated November 7, 2019. We are very sorry for the delay in submitting the executed revised settlement agreement. To put it simply, after the last conference that your Honor was generous enough to hold on October 30, 2019 in order to facilitate the prompt full resolution of this case with a Cheeks review, Defendants' attorney has neither responded to our emails or answered our calls, to our dismay. We will not be able to submit the fairness documents unless we have the signed settlement agreement, and the agreement cannot be signed before it is finalized.

The telephone conference at issue was held before your Honor, Mr. Minsley, and our firm on October 30, 2019. Soon after the conference, on November 7, 2019, we sent the revised settlement reflecting your Honor's suggestions. Thereafter, from then on till today, crickets. We have reached out to multiple times to Defendants via email and by phone, but we simply cannot finalize the settlement agreement as clean copy for our clients to sign or submit the fairness without the other side's input. As such, we would like to the court to compel Mr. Minsley to get back to us either via email or by phone.

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

Respectfully submitted,
 TROY LAW, PLLC

/s/

 John Troy
 Attorney for Plaintiffs

cc: via ECF
 all counsel of record

The Parties', together with their counsel shall appear in court on Thursday, January 9, 2020 at 2:00 p.m. in courtroom 17-D, United States Courthouse, 500 Pearl Street, new York, New York.

SO ORDERED:

Katharine H Parker

HON. KATHARINE H. PARKER
 UNITED STATES MAGISTRATE JUDGE
 12/19/2019