

**LAW OFFICE OF ROBERT L. GREENER P.C.**112 MADISON AVENUE, 6<sup>TH</sup> FLOOR

NEW YORK, NEW YORK 10016

(646)415-8920 PHONE

(212)689-9680 FAX

RLG@GREENERLEGAL.COM

WWW.GREENERLEGAL.COM

Hon. Lorna G. Schofield  
 United States District Judge  
 Southern District of New York  
 40 Foley square  
 New York, NY 10007

December 15, 2020

Re: Restoration Hardware Inc. et el. v. Lighting Design Wholesale Inc. et el. 17 cv 5553

Dear Judge Schofield:

I represent the defendants Lighting Design Wholesale Inc. (LDWI) and Alan Mizrahi (Mizrahi) in the above caption action for the purposes of seeking to vacate the default judgement entered by this Court on May 2, 2018. As you honor is aware, your Order of December 4, 2020 (DCKT #192) affirming the decision of the Magistrate Judge, directed that Defendant could file a new application to set aside the judgement based on different grounds. Your honor gave Defendants until December 15<sup>th</sup> to file such an order.

The reason I am writing this letter to the Court is to request a brief extension of time for seven days under F.R.C.P. 6(b). I am seeking the short extension because I had developed the flu and have been ill for the last week. At first, I thought it could be Covid-19, but fortunately it was not. None the less I have been out of my office due to an abundance of caution and just returned today. However, I was not able to confer with my client to discuss a new application or to prepare any new filings as requested until now. In addition, I am a solo practitioner and there was nobody in my office to do the work on this file.

This is the first time that I have requested an extension, and the matter has not previously been extended or delayed. The short extension would not prejudice any party or the Court and given the unavoidable circumstance it would be fair to Defendants. I had reached out to opposing counsel today to see if they would agree to the extension, but have not heard back from them at the time of filing this letter.

If your Honor has any questions, please contact me.

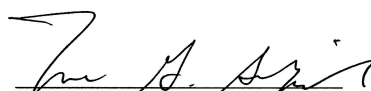
Very Truly Yours,

/Robert L. Greener/

Robert L. Greener

The application is untimely but is nevertheless **GRANTED**. By **December 22, 2020**, Defendant Mizrahi shall file any renewed motion to vacate the default. The Clerk of Court is respectfully directed to close the motion at Docket No. 194.

Dated: December 16, 2020  
 New York, New York

  
 LORNA G. SCHOFIELD  
 UNITED STATES DISTRICT JUDGE