

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
GLOBAL BRAND HOLDINGS, LLC,

Plaintiff,

against

ACCESSORIES DIRECT INTERNATIONAL USA, INC.,

Defendant.

CIVIL ACTION NO.: 17 Civ. 7137 (LAK) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Upon the parties' request for an extension of time, Defendant was ordered to respond to Plaintiff's proposed findings of fact and conclusions of law regarding damages by December 16, 2019. Defendant is directed to file a letter explaining its failure to comply with the Court's order by **Monday, December 23, 2019**.

IF DEFENDANT (1) FAILS TO RESPOND TO PLAINTIFF'S SUBMISSIONS, OR (2) FAILS TO CONTACT MY CHAMBERS BY MONDAY, DECEMBER 23, 2019 AND REQUEST AN IN-COURT HEARING, I INTEND TO ISSUE A REPORT AND RECOMMENDATION CONCERNING DAMAGES BASED ON PLAINTIFF'S WRITTEN SUBMISSIONS ALONE WITHOUT AN IN-COURT HEARING.

See *Transatlantic Marine Claims Agency, Inc. v. Ace Shipping Corp.*, 109 F.3d 105, 111 (2d Cir. 1997) ("[I]t [is] not necessary for the District Court to hold a hearing, as long as it ensured that there was a basis for the damages specified in a default judgment." (quoting *Fustok v. ContiCommodity Services Inc.*, 873 F.2d 38, 40 (2d Cir. 1989))).

Dated: New York, New York
December 17, 2019

SO ORDERED



SARAH L. CAVE
United States Magistrate Judge