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VIA ECF FILING

The Honorable Edgardo Ramos, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

The application is granted, and the case is stayed. The parties are directed to provide a joint status report by October 5, 2020.


Edgardo Ramos, U.S.D.J.
Dated: September 3, 2020
New York, New York

Re: *Jamie Rodrigo Carchi Buri v. Broadway Arome Café LLC, et al.*
Index No.: 17-cv-8408 (ER)

Dear Judge Ramos:

This office represents Defendants Broadway Arome Café, LLC (“Arome Café”), Rajesh N. Modi, and Sachin Seth (collectively, the “Defendants”) in the above-referenced Action. We write to request a 30-day stay of this Action with a corresponding 30-day extension of all deadlines.

The basis for this request is my client is consulting with bankruptcy counsel and presently anticipates filing for bankruptcy protection within the next 30 days. Their business, Arome Café, is hundreds of thousands of dollars in debt, inclusive of being at least five months delinquent on their rent. Their business is earning approximately 10% of their pre-COVID revenue, as both their clientele has disappeared and their hot and cold open buffets (the main source of their pre-COVID revenue) has been shut down. Defendants have a tentative arrangement with their landlord to close the business and hand back the keys. Irrespective of the Court’s decision herein, Defendants will be closing their business forever, which is likely to occur on Sunday.

With the closure of Arome Café, the individual Defendants will have lost their livelihood and their substantial investment in the business. It is for the foregoing reasons, Defendants will be consulting with bankruptcy counsel next week to explore seeking bankruptcy protection on behalf Arome Café and themselves, individually.

This is the first request for the relief sought herein. All counsel to this action consent to the foregoing request.

Respectfully Submitted,

/s/ Justin R. Marino

Justin R. Marino
Attorneys for Defendants
Broadway Arome Café, LLC
Rajesh N. Modi, and Sachin Seth

cc: Plaintiffs’ Counsel (via ECF only)