

## EISNER DICTOR &amp; LAMADRID, P.C.

ATTORNEYS AT LAW

39 BROADWAY, SUITE 1540  
NEW YORK, NEW YORK 10006TELEPHONE: (212) 473-8700  
FACSIMILE: (212) 473-8705E-MAIL: office@eisnerdicator.com  
INTERNET: www.eisnerdicator.comUSDC SDNY  
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NATHANIEL K. CHARNY\*  
ROGER J. BERNSTEIN

\*NY AND NJ BAR

**MEMO ENDORSED**EUGENE G. EISNER  
BENJAMIN N. DICTOR  
THOMAS J. LAMADRID

September 3, 2021

VIA ECF

Hon. Valerie E. Caproni  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007Re: Orellana *et al.* v. Real Innovative Construction,  
LLC *et al.*, No. 18-cv-8396 (VEC) (RWL)

Dear Judge Caproni:

This office represents plaintiffs in the above-referenced matter. I write to request a 45-day extension to submit plaintiff's application for default judgment against Defendant Carlos Morales.

Pursuant to Your Honor's July 12, 2021 Order, plaintiffs are to submit their application for default judgment against defendant Morales no later than September 10, 2021. While counsel has prepared the documents needed for the application, counsel is still in the process of finalizing, and having each of the 34 plaintiffs execute declarations in support of the damages calculation. By way of background, on July 27, 2021, plaintiffs obtained a Clerk's Certificate of Default as against defendant Morales. ECF Doc. # 182. On August 6, 2021, default judgment was entered as against defendant Real Innovative Construction, LLC ("RIC") as to liability only. ECF Doc. # 183. (The application for default judgment against defendant Morales will be for liability and damages.) The only other defendant remaining in this action other than RIC and Morales is defendant Andy Garcia. The action, however, is stayed as against defendant Garcia as he filed for bankruptcy during the pendency of this action and his Chapter 13 bankruptcy case remains pending in the Middle District of Pennsylvania. (Defendant Garcia's Chapter 13 plan is scheduled to end in August 2024.)

This is plaintiffs' first request for an extension of time to file their default judgment application against defendant Morales. Plaintiffs' requested extension will not affect any other pending deadlines.

Accordingly, plaintiffs request that the time for them to submit their application for default judgment against defendant Morales be extended to October 25, 2021.

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Thank you for your consideration in this matter.

Respectfully submitted,



Thomas J. Lamadrid

Application GRANTED. Plaintiffs' deadline to apply for a default judgment against Carlos Morales is extended to **October 25, 2021**.

SO ORDERED.



9/7/2021

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE