

USDC SDNY
NOV 27 2019

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MEMO ENDORSED

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November 26, 2019

Via ECF:

Honorable Colleen McMahon
United States District Judge
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

11/27/2019
refer to MS in GPT
This court order
an immediate
destruction of
files on the
dispositi
of all
business
records

Re: FF SUPPLY, LLC doing business as ZENITH INSURED CREDIT v. BF INTERNATIONAL CO., LTD., Civil Action No. 19-cv-03557

Dear Judge McMahon:

We are counsel for Plaintiff, FF SUPPLY, LLC d/b/a ZENITH INSURED CREDIT ("Plaintiff") in the above-referenced action. In accordance with Your Honor's Individual Practices and the Civil Case Management Plan (ECF Doc. No. 9), Plaintiff writes to inform the Court of a ~~discovery dispute~~ with Defendant BF International Co., Ltd. ("Defendant") and a major delay in the exchange of discovery between the parties.

On August 23, 2019, Plaintiff served Defendant with Plaintiff's First Set of Interrogatories and Plaintiff's First Request for the Production of Documents (the "Discovery Demands"). On October 4, 2019, the undersigned emailed Defendant's counsel, Mikhail Ratner, Esq. and informed counsel that Defendant's discovery responses were past due and inquired when Defendant intended on providing responses to the Discovery Demands. On October 16, 2019, the undersigned and Mr. Ratner agreed in an email to "meet and confer" the following day by phone regarding Defendant's failure in responding to the Discovery Demands. However, Mr. Ratner did not answer his phone at the agreed upon "meeting" time.

On October 18, 2019, the undersigned informed Mr. Ratner that Plaintiff would be seeking Court intervention regarding Defendant's failure in responding to the Discovery Demands. In response to the same, Mr. Ratner informed the undersigned that Defendant is now defunct, and counsel will be filing a motion to withdraw as counsel for Defendant "in short

or to defendant's status as a young company
concern

the court order
documentary
computerized
evidence relating to the dispute

order.” However, even after repeated attempts to determine when Mr. Ratner intends on filing his motion to withdraw as counsel for Defendant, a motion to withdraw has not been filed.

As such, Plaintiff respectfully requests permission to file a motion seeking to compel Defendant’s responses to the Discovery Demands and an extension of the discovery schedule by forty-five (45) days after Plaintiff receives the discovery responses.

Respectfully,

/s/ Jared H. Louzon

Harlan M. Lazarus, Esq.
Jared H. Louzon, Esq.

CC: Mikhail Ratner, Esq., *via* ECF