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September 2, 2021

VIA ECF

The Honorable Analisa Torres, U.S.D.J.  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Re: Ahluwalia v. Zaika Food Company LLC, et al., 1:19-cv-10940-AT<sup>1</sup>

Dear Judge Torres:

We represent all Defendants in the above-referenced matter. We write now with Plaintiff's consent to respectfully request a stay of the pending Motion for Default Judgment, opposition to which is due September 9, 2021 (Dkt. 41.), so that the parties may proceed to mediation.

We were just retained yesterday, so please allow us to extend our clients' apologies to the Court, Plaintiff and his counsel. When this matter was initially filed our clients, who are not lawyers, retained counsel to represent them and reasonably believed that prior counsel was handling the matter. It is our understanding that our clients regularly forwarded the Court pleadings and orders they received to prior counsel, either by email, fax or FedEx, and routinely followed up to confirm receipt thereof. Only after the filing of Plaintiff's Motion for Default Judgment in or about mid-August did they learn prior counsel had not appeared in the case, filed answer or otherwise defended the matter. Defendants promptly retained this Firm to represent them.

In the interest of reaching an amicable resolution, and conserving the parties' and Court's resources, we respectfully request a stay of the pending Motion for Default Judgment, so that the parties may mediate this matter. We propose to select a mediator and mediation date by

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<sup>1</sup> This matter is deemed related to Raamanuj v. Zaika Food Company LLC, et al., Case No. 1:20-cv-004317. Defendants have made a similar proposal to Plaintiff Raamanuj; namely, that we stay the pending Motion for Default Judgment, the opposition to which is also due Sept. 9 (Dkt. 52), and proceed to mediation. We have not yet received a response.



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September 17, 2021, to hold the mediation session by October 29, 2021, and to report the results of the mediation (settled or not settled) to the Court by November 2, 2021. In the event that a settlement is not reached during mediation, Defendants propose to file their opposition no later than November 23, 2021.

This is Defendants first request for a stay of Plaintiff's Motion for Default Judgment. If granted, the stay would not affect any other deadlines in the case. Plaintiff consents to this request.

We thank the Court for its time and attention to this matter.

Respectfully submitted,  
LIPSKY LOWE LLP

s/ Christopher H. Lowe  
Christopher H. Lowe

Cc: Plaintiff's Counsel (via ECF)

GRANTED.

SO ORDERED.

Dated: September 7, 2021  
New York, New York

A handwritten signature in black ink, appearing to be "Analisa Torres".

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ANALISA TORRES  
United States District Judge