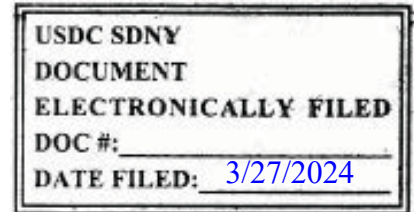


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKBEATRIZ CORONA CORTES et al.,
Plaintiffs,

-v.-

CORNERED BEEF EXPRESS, LLC (D/B/A
ARTIE'S) et al.,
Defendants.

20 Civ. 3546 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

Plaintiffs moved for a default judgment and filed a declaration and proposed judgment in support. ECF Nos. 74-76. Upon further review, Plaintiffs' submissions fail to establish that defendants "were liable as a matter of law." *Bricklayers & Allied Craftworkers Loc. 2, Albany, N.Y. Pension Fund v. Moulton Masonry & Const., LLC*, 779 F.3d 182, 187 (2d Cir. 2015) ("[I]f liability is established as a matter of law when the factual allegations of the complaint are taken as true[,] then a "Court may, on plaintiffs' motion, enter a default judgment[.]"); *see also* Individ. R. & Pracs. in Civ. Cases, Attach. A 2.b.iv (requiring "analysis demonstrating that the facts pleaded in the complaint support the conclusion that the relevant defendant is liable"). Accordingly, the Court will not consider Plaintiffs' application.

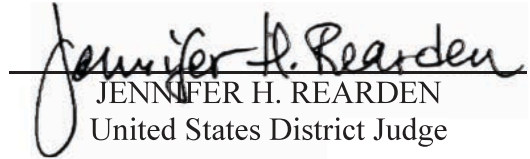
If Plaintiffs plan to proceed with seeking a default judgment, then by no later than **April 10, 2024**, they shall file a corrected motion for default judgment in accordance with the Court's Individual Rules and Practices in Civil Cases. **Failure to submit a timely and proper motion for default judgment may result in dismissal without prejudice of this case.** *See* Fed. R. Civ. P. 41; *see also* ECF No. 41.

Within **two business days of the date of this Order**, Plaintiffs shall serve Defendants with a copy of this Order by overnight courier and file proof of such service on the docket.

The Clerk of Court is directed to terminate ECF No. 74.

SO ORDERED.

Dated: March 27, 2024
New York, New York



JENNIFER H. REARDEN
United States District Judge