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VIA CM/ECF Only

January 5, 2021

U.S. District Judge Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, New York 10007

**MEMO ENDORSED**

**Re: Mercer v. Jerlin Properties, Inc., Case No. 1:20-cv-7597-KPF**

Dear District Judge Polk Failla:

We represent the Plaintiff Stacey Mercer (“Plaintiff”) in connection with the above-referenced action. An Initial Conference is currently scheduled in this matter for January 14, 2021 at 12:00 p.m. We write to request an adjournment of the Initial Conference so we may use further efforts to provide further notice to the defendant of this action. As a result, we are hopeful that the defendant will appear so that we can fulfill our obligations for a meet and confer, and have a fruitful Initial Conference. In the alternative, we will be seeking a clerk’s entry of default as to the defaulting defendant. This is our second request for an adjournment of the conference in that the first request was due to our amendment of the complaint. Our request will not prejudice any of the parties or affect any other scheduled dates since the defendant has not yet appeared in this action. Accordingly, it is respectfully requested that Your Honor reschedule the conference and all of its deadlines to a date of its convenience or to a date in mid-February.

We thank this Honorable Court for its time and consideration in this matter.

Respectfully submitted,

BASHIAN & PAPANTONIOU, P.C.

*/s/ Erik M. Bashian*

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Erik M. Bashian, Esq.

cc: Jerlin Properties, Inc. *(via first class mail only)*

Application GRANTED. The initial pretrial conference scheduled for January 14, 2021, is hereby ADJOURNED to February 18, 2021, at 1:00 p.m. Pursuant to the Court's Individual Rules of Practice in Civil Cases, the parties are directed to file a joint letter and Proposed Civil Case Management Plan and Scheduling Order on or before February 11, 2021. In the alternative, if Defendant has not appeared by February 11, 2021, the Court will expect Plaintiff's counsel to file an Order to Show Cause and the supporting paperwork, in accordance with the Court's individual rules.

Dated: January 6, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE