

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
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Craig Cunningham,

Plaintiff,

—v—

On Deck Capital, Inc., *et al.*,  
Defendants.

20-cv-10621 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On March 2, 2021, the Court advised the *pro se* Plaintiff that his deadline to either file an amended complaint or to serve his opposition to Defendants' motion to dismiss was April 2, 2021. As of the date of this Order, the Court has not received either an amended complaint or a brief opposing the motion to dismiss.

The Court hereby ORDERS that Plaintiff either file an amended complaint or serve his opposition to Defendants' motion to dismiss, Dkt. No. 5, by no later than May 14, 2021. If Plaintiff chooses to amend, Defendants may then (a) file an answer; (b) file a new motion to dismiss; or (c) submit a letter stating that it intends to rely on the initially filed motion to dismiss. Defendants' reply, if any, is due May 28, 2021.

Plaintiff is advised that failure to either file an amended complaint or serve his opposition to Defendants' motion to dismiss by May 14, 2021 may result in the motion to dismiss being unopposed.

SO ORDERED.

Dated: April 27, 2021  
New York, New York



ALISON J. NATHAN  
United States District Judge

