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March 30, 2021

**VIA ECF**

The Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**MEMO ENDORSED**

**Re: *Fischler v. Bomani Cold Buzz, LLC (1:21-cv-01568) (KPF) (BCM)*  
Request for Extension of Time to Respond to Complaint  
and for Adjournment of Initial Pretrial Conference**

Dear Judge Failla:

We have been retained to represent Bomani Cold Buzz, LLC (“Bomani”) in the above-referenced matter. On behalf of Bomani, and with the consent of plaintiff Brian Fischler (“Plaintiff”), we respectfully request a 30-day extension of time for Bomani to respond to the Complaint and a 30-day adjournment of the Initial Pretrial Conference. As we were recently retained, additional time is requested so that we may complete our investigation of Plaintiff’s claims and prepare our defenses. Additionally, the parties desire an opportunity to discuss this matter prior to the filing of a responsive pleading.

This application is Bomani’s first request for an extension of time for responding to the Complaint and for an adjournment of the Initial Pretrial Conference. Bomani’s response to the Complaint currently is due on April 2, 2021, and the Initial Pretrial Conference is scheduled to take place on April 15, 2021. If granted, Defendant would respond to the Complaint by Monday, May 3, 2021, and the Initial Pretrial Conference would take place on or after Monday, May 17, 2021. The requested extension and adjournment would not affect any other scheduled dates, except for the deadline for the parties’ Joint Letter and Proposed Case Management Plan and Scheduling Order, which the parties would submit by the Thursday of the week prior to the Conference.

We thank the Court for its consideration of our requests.

Respectfully submitted,

/s/ Jason B. Jendrewski

Jason B. Jendrewski

cc: Christopher H. Lowe, Esq. (via ECF)

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Application GRANTED. Defendant's response to the Complaint will be due on or before May 3, 2021. Additionally, the initial pretrial conference scheduled for April 15, 2021, is hereby ADJOURNED to May 20, 2021, at 10:00 a.m. The parties' joint letter and Proposed Case Management Plan and Scheduling Order will be due on or before May 13, 2021.

Dated: March 31, 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