

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MELESIO ANTONIO, *individually and on
behalf of others similarly situated,*

Plaintiff,

-against-

Case No. 21-cv-01871

SIPSAK INC. (D/B/A SIP SAK) and MELISSA
YEGEN,

**~~PROPOSED~~ DEFAULT
JUDGMENT**

Defendants.

-----X
The summons and complaint in this action having been duly served on the above-named Defendants, SIPSAK INC. and MELISSA YEGEN, said Defendants having failed to plead or otherwise defend in this action, and said default having been duly noted, and upon the annexed Affidavit in support of entry of default judgment, with exhibits thereto;

NOW, on motion of by Order to Show Cause of Michael Faillace & Associates, PC, counsel for Plaintiff, it is hereby ORDERED and ADJUDGED [that, pursuant to Rule 55 of the Federal Rules of Civil Procedure, Plaintiff has judgment](#)

~~That Plaintiff Melesio Antonio do recover of Defendants, SipSak Inc. and Melissa Yegen, the sum of \$456,452.22, including:~~ [against Defendants Sipsak Inc. and Melissa Yegen in amounts to be determined by post-default judgment inquest.](#)

- ~~a) Unpaid minimum wages and overtime compensation in the amount of \$177,907.50;~~
- ~~b) Unpaid spread of hours pay in the amount of \$14,310.00;~~
- ~~c) Liquidated damages for unpaid minimum wages and overtime compensation in the amount of \$177,907.50;~~
- ~~d) Liquidated damages for unpaid spread of hours pay in the amount of \$14,310.00;~~
- ~~e) Statutory damages for the violation of New York Labor Law § 195 in the amount of \$10,000.00;~~

Dated: November 18, 2021
New York, New York



**LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE**

~~f) Pre judgment interest on unpaid minimum wages and overtime calculated at a rate of 9% per annum from the median date of May 25, 2018, to the date of judgment and totaling \$57,234.20 as of October 28, 2021;~~

~~g) Pre judgment interest on unpaid spread of hours pay calculated at a rate of 9% per annum from the median date of May 25, 2018, to the date of judgment and totaling \$4,733.02 as of October 28, 2021;~~

~~That Plaintiff Melesio Antonio is awarded attorneys' fees in the amount of \$7,702.50 and costs in the amount of \$552.00; AND~~

~~That Plaintiff Melesio Antonio is awarded post judgment interest, as calculation under 28 U.S.C. § 1961 and that if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgment shall automatically increase by fifteen percent, as required by NYLL § 198(4).~~

~~Dated: New York, New York
_____, 2021~~

~~HON. LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE~~

~~This document was entered on the docket on~~
