

Case 1-21-cv-03874-CM Document 21 Filed in NYSD on 09/08/2021 Page 1 of 5

EPSTEIN
BECKER
GREEN

Attorneys at Law

Edward M. Yennock
t 212.351.4620
f 212.878.8600
EYennock@ebglaw.com

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VIA ECF

Hon. Colleen McMahon, U.S.D.J.
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

September 8, 2021

9/8/21

Re: *Chang et al. v. Mizuho Securities USA LLC et al.*, 1:21-cv-03874

**Parties' Agreed Request for Adjournment of the Initial Pretrial Conference
and Extension of Pleading Deadlines**

Dear Judge McMahon:

We represent Defendants Mizuho Securities USA LLC and Mizuho Bank (USA) ("Defendants") in the referenced action. Upon reaching an agreement with Plaintiffs' counsel (see Exhibit 1), we write to request an adjournment of the Initial Pretrial Conference, and concomitant extensions of the parties' respective pleading deadlines.

On June 2, 2021, Mizuho filed a motion to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(6). (See Dkts. 16-17.) On June 14, 2021, Plaintiffs advised the Court that they intend to amend their Complaint in response to Defendants' motion, and will add several additional claims—some of which apparently will be based on factual allegations distinct from those alleged in the original Complaint. (See Dkt. 18.) Plaintiffs requested a roughly three-month extension of their deadline to file an Amended Complaint, as they awaited the U.S. Equal Employment Opportunity Commission's issuance of Notices of Right to Sue. (See *id.*) The Court granted Plaintiffs' request. (Dkt. 20.)

The Initial Pretrial Conference is currently slated for September 10, 2021—two days from today. To date, however, Plaintiffs have not yet filed their Amended Complaint. Until that occurs, we are not in a position to move forward, and to devise a case management plan. Therefore, the parties have agreed that the following would be appropriate:

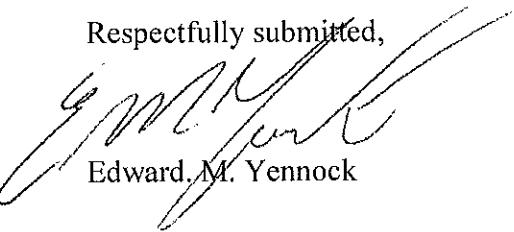
September 8, 2021

Page 2

- (1) an adjournment of the Initial Pretrial Conference to a date roughly 30 to 45 days from the date currently scheduled, at the Court's convenience;
- (2) a 14-day extension of Plaintiffs' current deadline for filing an Amended Complaint—to September 24, 2021; and
- (3) a 21-day extension of what would otherwise be Defendants' deadline for responding to the Amendment Complaint once it is filed.

The parties respectfully request that the Court order the foregoing. We thank the Court for its attention to this request.

Respectfully submitted,



Edward M. Yennock

cc: all counsel of record (via ECF)