

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/25/2023

**EPSTEIN DRANGEL LLP**

60 East 42nd Street, Suite 1250, New York, NY 10165
T: 212.292.5390 • E: mail@ipcounselors.com
www.ipcounselors.com

MEMORANDUM ENDORSED

September 25, 2023

VIA ECF

Hon. Gregory H. Woods
United States District Judge
Thurgood Marshall
United States Courthouse
500 Pearl St.
New York, NY 10007

Re: *Smart Study Co., Ltd. v. Acuteye-US, et al.*
Civil Case No. 21-cv-5860
Letter Request for Second Adjournment of Default Judgment Hearing

Dear Judge Woods,

We represent Plaintiff Smart Study Co., Ltd. (“Plaintiff”), in the above-referenced matter (the “Action”).¹ On August 14, 2023, the Court entered an Order requiring Defaulting Defendants to show cause why default judgment and a permanent injunction should not be entered against them on October 3, 2023, at 1:00 p.m. (“DJ OSC Hearing”). (Dkt 120). On September 22, 2023, Plaintiff requested an adjournment of the DJ OSC Hearing and per paragraph 1(E) of Your Honor’s Individual Rules of Practice in Civil Cases provided October 10, 2023, October 11, 2023 and October 12, 2023 as alternative dates for the DJ OSC Hearing. (Dkt. 123) The Court granted Plaintiff’s request, rescheduling the DJ OSC Hearing to October 16, 2023, at 10:00 a.m. (Dkt. 123). In accordance with Your Honor’s Individual Rules of Practice, Plaintiff respectfully requests a second adjournment of the DJ OSC Hearing, and submits the following:

1. **Original Date:** October 16, 2023
2. **The number of previous requests for adjournment:** One, this is Plaintiff’s second request for an adjournment of the DJ OSC Hearing.
3. **The reason for the current request:** The two (2) partners handling this case will be chairing and speaking at a conference in London from October 15, 2023 through October 20, 2023, which coincides with the date of the currently scheduled DJ OSC Hearing.
4. **Whether the adversary consents:** All of the Defendants remaining in this action are currently in default, thus Plaintiff did not seek their consent.
5. **Proposed alternative dates:** Plaintiff respectfully proposes adjourning the DJ OSC Hearing to one of the following dates: October 24, 2023, October 25, 2023, October 26, 2023, or October 27, 2023, or a date and time most convenient for the Court.

¹ Where a defined term is referenced herein but not defined, it should be understood as it is defined in the Glossary in Plaintiff’s Complaint or Application.

We thank the Court for its time and attention to this matter.

Respectfully submitted,


EPSTEIN DRANGEL LLP

BY: /s/ Gabriela N. Nastasi
Gabriela N. Nastasi
gnastasi@ipcounselors.com
60 East 42nd Street, Suite 1250
New York, NY 10165
Telephone: (212) 292-5390
Facsimile: (212) 292-5391
Attorneys for Plaintiff

Application granted. Plaintiff's application to adjourn the order to show cause hearing is granted. The order to show cause hearing is adjourned to October 25, 2023 at 2:00 p.m. Plaintiff is directed to serve this order on Defendants and to file proof of service. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 124.

SO ORDERED.

Dated: September 25, 2023
New York, New York



GREGORY H. WOODS
United States District Judge

