

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

JOAQUIN MENDEZ PEREZ, et al.,

Plaintiffs,

-against-

HORNITOS RESTAURANT CORP., et al.,

Defendants.

21-CV-6641 (JGK) (OTW)

## ORDER

**ONA T. WANG, United States Magistrate Judge:**

This matter has been referred to me for Inquest following a default. By **December 16, 2022**, Plaintiffs shall file **(1)** proposed findings of fact and conclusions of law, and **(2)** an inquest memorandum setting forth proof of damages. Plaintiffs' proposed damages figures should be supported by documentary evidence and/or one or more affidavits establishing the proposed figures. Plaintiffs must also include documentation supporting the requested attorney's fees and costs. Plaintiffs must serve these documents on the defaulting Defendants, as defined in ECF 71, and file a proof of service on the docket by **December 16, 2022**.

Defendants' opposition papers (if any) shall be filed by **January 13, 2023**.

The Court hereby notifies the parties that it may conduct this inquest solely on the written submissions of the parties. *See Action S.A. v. Marc Rich & Co., Inc.*, 951 F.2d 504, 508 (2d Cir. 1991). If any party seeks an evidentiary hearing on damages, such party must include the request in its papers, as well as provide reasons why a hearing is necessary and detail what types of additional evidence would be presented at the hearing.

Plaintiffs shall serve a copy of this Order on the Defaulting Defendants and file proof of service on the docket by **November 30, 2022**.

**SO ORDERED.**

Dated: November 17, 2022  
New York, New York

s/ Ona T. Wang  
**Ona T. Wang**  
United States Magistrate Judge