UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YESSENIA LANTIGUA,

Plaintiff,

-v-

PRIDE TECHNOLOGIES LLC AND LEO RUSSELL,

Defendants.

CIVIL ACTION NO.: 22 Civ. 1238 (ALC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On February 14, 2022, Plaintiff commenced this action by filing the Complaint and requesting issuance of a Summons as to each Defendant, which were issued on February 15, 2022. (ECF Nos. 1, 5, 6). On February 23 and February 28, 2022, Plaintiff served Defendants with the Summons and Complaint, making Defendants Leo Russell or Pride Technologies LLC's deadlines to respond the Complaint March 16, 2022 and March 21, 2022, respectively. (ECF Nos. 7, 8). To date, neither Defendant has responded to the Complaint or requested an extension of time do so, nor has counsel filed a notice of appearance on Defendants' behalf.

On April 7, 2022, the parties filed a stipulation indicating that they had agreed that this matter "be stayed pending arbitration," which the Court construed as a request for an adjournment sine die of all case deadlines. (ECF No. 10 (the "Request")). On April 8, 2022, the Court denied the Request without prejudice to a renewed request supported by a showing of good cause as to why this case should be stayed. (ECF No. 11 (the "Apr. 8 Order")). To date, neither party has responded to the Apr. 8 Order.

Accordingly, the Court orders as follows:

1. By **May 12, 2022**:

    a. Counsel for Defendants shall file a notice of appearance; and

    b. The parties shall file a status report advising whether they still intend to pursue arbitration and seek a stay of this matter in the interim. If the parties intend to request a stay, they shall support their request with a showing of good cause as to why this case should be stayed, and include the date and anticipated during of the arbitration.

The parties are warned that failure to respond to this Order may result in entry of a certificate of default against Defendants or a recommendation of dismissal of this action for Plaintiff's failure to prosecute. See Fed. R. Civ. P. 41, 55.

Dated: New York, New York
May 10, 2022

SO ORDERED.

SARAH L. CAVE
United States Magistrate Judge