

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
LUXWEAR LTD. and SEVEN TRADE LLC,

Plaintiffs,

-against-

ADAPTIV RESEARCH & DEVELOPMENT
GROUP, LLC (d/b/a ADAPTIV BIOMED),

Defendant.

ANALISA TORRES, District Judge:

The telephonic conference scheduled for November 21, 2023, is ADJOURNED *sine die*, pending the Court's ruling on Defendant's motion to dismiss the amended complaint. The federal judiciary maintains "a strong preference for resolving disputes on the merits" as "a default judgment is the most severe sanction which the court may apply." *City of New York v. Mickalis Pawn Shop, LLC*, 645 F.3d 114, 129 (2d Cir. 2011) (citation omitted). Accordingly, given the parties have fully briefed the motion to dismiss, the Court will address the submitted papers before moving forward with default judgment proceedings.

Plaintiffs shall serve copies of this order on Defendant, and the Clerk of Court is directed to mail a copy to Defendant *pro se*.

SO ORDERED.

Dated: November 14, 2023
New York, New York

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/14/2023

22 Civ. 5458 (AT)

ORDER



ANALISA TORRES
United States District Judge