

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
DAMON JONES, on behalf of himself and all :  
others similarly situated, :  
:  
Plaintiffs, : 22-CV-8360 (VSB)  
:  
-against- : ORDER  
:  
CRABTREE & BROWN, LLC. :  
:  
Defendant. :  
:  
-----X

VERNON S. BRODERICK, United States District Judge:

On September 30, 2022 Plaintiffs filed this action against Defendant. (Doc. 1.) Plaintiffs obtained a summons on October 3, 2022. (Doc. 4.) Pursuant to Rule 4(m), the deadline for Plaintiffs to serve Defendant was December 29, 2022. On January 5, 2023, I ordered Plaintiffs to submit a letter by January 13, 2023 stating good cause as to why this case should not be dismissed for failure to serve. (Doc. 5.) I warned that “failure to submit a letter and to demonstrate good cause for failure to serve Defendant within ninety days after the complaint was filed will result in dismissal of this action.” (*Id.*) To date, Plaintiffs have not submitted a letter, nor taken any further steps to prosecute this case.

Accordingly, Plaintiffs’ claims are dismissed without prejudice pursuant to Rule 41(b).

The Clerk of Court is respectfully directed to terminate this action.

SO ORDERED.

Dated: January 18, 2023  
New York, New York

  
\_\_\_\_\_  
VERNON S. BRODERICK  
United States District Judge