

**MEMO ENDORSED**

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November 9, 2023

**Via ECF**

The Honorable Dale E. Ho  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**RE: Joint Request for Adjournment and an Extension of Time**  
***Saxx US Acquisition, Inc. v. Rhone Apparel, Inc.*, 1:23-cv-03388 (DEH)**

Dear Judge Ho:

The parties in this action have engaged in settlement discussions. As a result of those discussions, the parties have reached general agreement on several principal terms and are in the process of discussing specific settlement terms in an effort to reach a final agreement. To facilitate those continuing efforts, the parties respectfully seek to modify certain case deadlines by approximately forty-five (45) days as set forth herein.

The Initial Pre-Trial Conference is scheduled for November 30, 2023 at 11:30 am and a Joint Letter with a Civil Case Management Plan and Scheduling Order currently is due by November 22, 2023. No prior adjournment or extension for these events have been requested or ruled upon.

In addition, a response to the Complaint is currently due on November 17, 2023. Rhone has previously made two unopposed requests to extend that deadline by thirty (30) days (Dkt Nos. 11, 13) so the parties could engage in settlement discussions. The Court granted both requests (Dkt Nos. 12, 14).

In light of the foregoing and in an effort for the parties to attempt to reach a final resolution of the case, the parties jointly seek to adjourn the conference and extend the current deadlines by approximately forty-five (45) days and as set forth below (with three alternative dates proposed for the Initial Pre-Trial Conference as required by Your Honor's Individual Rules and Practices):

Event	Current Deadline	Proposed Deadline
Response to the Complaint	November 17, 2023	January 2, 2023
Joint Letter with Civil Case Management Plan and Scheduling Order	November 22, 2023	January 8, 2023
Initial Pre-Trial Conference	November 30, 2023	January 17,18, or 19, 2024*

The parties jointly request the relief herein, and no other deadlines will be impacted by this request.

Respectfully submitted,

/s/ Ashley B. Summer

Ashley B. Summer  
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Rhone Apparel, Inc.

cc: Gene W. Lee, Esquire (glee@perkinscoie.com)  
Andrew Klein (aklein@perkinscoie.com)  
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Application GRANTED. The response to the complaint shall be filed by **January 2, 2024**. The parties shall submit the Joint Letter with a Civil Case Management Plan and Scheduling Order by **January 8, 2024**. The letter shall include a description of settlement discussions, without disclosing any specific offers. The Initial Pre-trial Conference shall be held on **January 18, 2024, at 10:30 a.m. (E.T.)**. The parties are directed to call (646) 453-4442 and enter the Phone Conference ID (568 982 77), followed by the pound (#) sign. The Clerk of Court is respectfully directed to close the open motion at ECF No. 16.

SO ORDERED.



Dale E. Ho  
United States District Judge  
Dated: November 13, 2023  
New York, New York