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MEMO ENDORSED

Adya Baker
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November 9, 2023

Via ECF

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

Re: Request to Extend Deadline to Respond to Complaint and Adjourn Initial Conference,
Bullock v. Cup O' Co LLC, Case No. 1:23-cv-07563-DEH

Dear Judge Ho:

My firm represents Defendant Cup O' Co LLC in the above-referenced case. I write pursuant to Section 2(e) of your Honor's Individual Rules and Practices to request an extension of Defendant's deadline to respond to Plaintiff's Complaint up to and including December 10, 2023 and an adjournment of the December 12 Initial Conference.

Plaintiff served the Complaint on Defendant's registered agent on September 24, 2023; however, Defendant was not made aware of the Complaint until October 27, 2023 following an email from Plaintiff's counsel. The original deadline to respond to the Complaint was October 16, 2023. Counsel for Defendant has spoken with counsel for Plaintiff, who consents to a 30-day extension for Defendant to respond to the Complaint while the parties explore the possibility of a settlement and an adjournment of the December 12 Initial Conference.

Given the Parties' agreement that Defendant may have additional time to respond to the Complaint while the Parties explore an early resolution to this matter, Defendant with Plaintiff's consent, respectfully requests an extension of time to respond to the Complaint until December 10 and an adjournment of the Initial Conference scheduled for December 12, 2023, at 12:00 p.m.

The Parties have conferred and are available on January 19, January 23, or January 25 for a rescheduled Initial Conference.

This is Defendant's first request for an extension of time. The Court has not yet issued a scheduling order, and as such this requested extension does not affect any other days.

Respectfully submitted,

By: /s/ Adya Baker
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Counsel for Defendant
Cup O' Co LLC

CC: All counsel of record (via ECF)

Application GRANTED.

Defendant must respond to the Complaint (Dkt. No. 1) by **December 10, 2023**.

The conference scheduled for December 12, 2023 (Dkt. No. 5) is ADJOURNED to **January 23, 2024, at 2:00 p.m. ET**. The conference will be held via Microsoft Teams. The parties should dial in by calling (646) 453-4442 and entering the Phone Conference ID: 612 485 758, followed by the pound (#) sign. The joint status letter and proposed Civil Case Management Plan and Scheduling Order are due **January 16, 2024**.

The Clerk of Court is respectfully directed to terminate Dkt. No. 6.

SO ORDERED.



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