



Advocates for Workplace Fairness

February 5, 2024

Application granted. In light of the amendment, defendant's motion for judgment on the pleadings is denied as moot. The Clerk of Court is directed to terminate Dkts. 24 and 27.

**VIA ECF**

The Honorable Arun Subramanian  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 15A  
New York, NY 10007

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Arun Subramanian'.

Arun Subramanian, U.S.D.J.  
Date: February 5, 2024

Re: *Bryant et al. v. Buffalo Exchange, Ltd.*, Case No. 23 Civ. 8286

Dear Judge Subramanian:

We represent Plaintiffs in the above-captioned matter. We write to request the Court's leave to file an amended complaint pursuant to Federal Rule 15(a)(2). The parties have conferred, and Defendant does not oppose the filing of the amended complaint.

Following the Court's Individual Rule 8(G)(ii), within 10 days of Defendant's January 17, 2024 motion to dismiss, Plaintiffs' Counsel conferred with Defendant's Counsel and notified both Defendant and the Court of Plaintiffs' intention to file an amended complaint in response to the motion in lieu of opposing the motion. In response to Defendant's arguments, Plaintiffs' amended complaint removes the FLSA claim that Defendant argued should be dismissed. Because the January 24, 2024 deadline to amend without leave has passed, Plaintiffs now respectfully request the Court's leave to file the amended complaint, in order to avoid unnecessary motion practice and to conserve the Court's and parties' resources.

Pursuant to the Court's February 1, 2024 Entry and Individual Rules, Defendant's written consent is attached as Exhibit 1, a clean copy of the proposed First Amended Complaint is attached as Exhibit 2, and a redline version showing all changes between the Complaint and First Amended Complaint is attached as Exhibit 3.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Molly Brooks'.

Molly Brooks