

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 09/25/2024

-----X
:
FRED ALSTON *as Trustee of the Local 272 Labor-
Management Pension Fund and as Trustee of the Local
272 Welfare Fund,* :

Plaintiff, :

-v- :

ICON PAKRING MANAGEMENT LLC *et. al.,* :

Defendants. :

24-cv-3073 (LJL)

ORDER

-----X
LEWIS J. LIMAN, United States District Judge:

Plaintiff has submitted a motion for default judgment and accompanying declarations and exhibits to support his claimed damages. Dkt. Nos. 26–32.

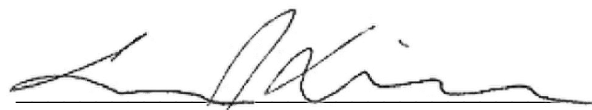
Plaintiff has named three Defendants in this action: Icon Parking Management, LLC; Icon Parking Holdings, LLC, and Icon Parking 3, LLC. Dkt. No. 1. However, in support of the motion for default judgment, Plaintiff has submitted documents related to Metropolitan Parking Association and to Citizens Icon Holdings, LLC. Dkt. Nos. 29-6; 29-7; 29-8; 29-9; 29-10.

Neither Plaintiff’s memorandum of law in support of the proposed default judgment nor the accompanying declaration, Dkt. Nos. 29, 31, explain the relationship between Metropolitan Parking Association and Citizens Icon Holdings, LLC to each other and to Defendants. In particular, Plaintiff has offered no evidence that any of the three Defendants is a member of the Metropolitan Parking Association or that the audit report with respect to Citizens Icon Holdings, LLC establishes a deficiency with respect to any of the three Defendants. Accordingly, the motion for default judgment is defective and the Court cannot adjudicate the motion for a default judgment based on the evidence that has been provided.

Plaintiff may supplement the motion with additional evidence to address this concern by October 1, 2024. If no additional evidence is forthcoming, the Court will deny the motion for default judgment.

SO ORDERED.

Dated: September 25, 2024
New York, New York


LEWIS J. LIMAN
United States District Judge