

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TUSHBABY, INC., :
Plaintiff, :
-v- : 24-CV-6150 (JMF)
JINJIANG KANGBERSI TRADE CO, LTD et al., : ORDER
Defendants. :
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JESSE M. FURMAN, United States District Judge:

Having been advised at ECF No. 123 that all claims asserted herein against Defendants Jinjiang Kangbeisi Trading Co., Ltd., Wenxi Wuyuan E-Commerce Co., Ltd. d/b/a BogiWell Direct, and Guangzhou City Woma International Trade Co. Ltd. d/b/a Cogesu US have been settled in principle, the Court directs the Clerk of Court to terminate the listed Defendants from this action, without prejudice to the right to reopen the action as to these Defendants **within sixty days** of the date of this Order if the settlement is not consummated. Unless and until the Court orders otherwise, however, the preliminary injunction entered at ECF No. 81 remains in effect.

To be clear, any application to reopen **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis. **Further, requests to extend the deadline to reopen are unlikely to be granted.**

If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court by the deadline to reopen to be “so ordered” by the Court. Per Paragraph 5.B of the Court’s Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

In light of the settlement in principle, the pending motions filed by these three Defendants, *see* ECF Nos. 92, 103, are moot. The Clerk of Court is directed to terminate ECF Nos. 92 and 103 and to terminate Jinjiang Kangbeisi Trading Co., Ltd., Wenxi Wuyuan E-Commerce Co., Ltd. d/b/a BogiWell Direct, and Guangzhou City Woma International Trade Co. Ltd. d/b/a Cogesu US as Defendants from this action.

SO ORDERED.

Dated: March 4, 2025
New York, New York



JESSE M. FURMAN
United States District Judge