

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LU WAN, individually and on behalf of others
similarly situated,

Plaintiff,

- against -

YWL USA INC. d/b/a BUDDHA ASIAN BISTRO
SUSHI HIBACHI STEAK HOUSE, AI QIN
CHEN, and JANE DOE,

Defendants.

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JUDGMENT

No. 18-CV-10334 (CS)

Seibel, J.

WHEREAS Defendants YWL USA Inc. (d/b/a Buddha Asian Bistro Sushi Hibachi Steak House) and Ai Qi Chen, by and through their attorney Bingchen Li of the Law Office of Z. Tan PLLC, having offered, pursuant to Federal Rule of Civil Procedure 68(a), to allow judgment in favor of Plaintiff Lu Wan to be taken against them in the amount of \$15,000 plus such attorneys' fees, costs, and other expenses as the Court shall deem reasonable upon Plaintiff's motion pursuant to Federal Rule of Civil Procedure 54; and

WHEREAS such offer was made for the purposes specified in Rule 68 and is not to be construed as an admission that Defendants are liable in this action or that Plaintiff has suffered any damage; and

WHEREAS Plaintiff, by and through his attorney Aaron B. Schweitzer of Troy Law, PLLC, served notice on November 10, 2020 that he had accepted that offer, (Doc. 88);

It is hereby ORDERED, ADJUDGED, and DECREED that

1. Plaintiff Lu Wan is entitled to a judgment against Defendants YWL USA Inc. (d/b/a Buddha Asian Bistro Sushi Hibachi Steak House) and Ai Qi Chen, jointly and severally, in the amount of \$15,000;
2. Plaintiff Lu Wan is entitled to an award of attorneys' fees against Defendants YWL USA Inc. (d/b/a Buddha Asian Bistro Sushi Hibachi Steak House) and Ai Qi Chen, jointly and severally, in the amount of \$17,703.90, pursuant to my Opinion and Order of today's date; and
3. Plaintiff Lu Wan is entitled to an award of costs and expenses against Defendants YWL USA Inc. (d/b/a Buddha Asian Bistro Sushi Hibachi Steak House) and Ai Qi Chen, jointly and severally, in the amount of \$1,491.73, pursuant to my Opinion and Order of today's date.

To the extent any amounts remain unpaid upon the expiration of ninety days following the issuance of judgment, or ninety days after the expiration of time to appeal and no appeal is then pending, whichever is later, the total amount of judgment shall automatically increase by fifteen percent, pursuant to New York Labor Law § 198(4).

Accordingly, judgment is entered as set forth above. The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: May 12, 2021
White Plains, New York



CATHY SEIBEL, U.S.D.J.