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New York
By Appointment Only

April 21, 2025

VIA ECF

Hon. Margaret M. Garnett
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: Roy Rossello v. Edgardo Diaz Melendez, No. 25-CV-01699 (SDNY)

Dear Judge Garnett,

Pursuant to this Honorable Court's Individual Rules and Applicable Practices I(B)(5), Plaintiff, Roy Rossello, by and through the undersigned counsel, respectfully requests an Extension of Time to submit a Proposed Civil Case Management Plan and consequently requests an adjournment from the Initial Pretrial Conference set for May 1, 2025.

On February 27, 2025, Plaintiff filed a Complaint against Edgardo Diaz Melendez alleging violations of the New York City Administrative Code § 10-1101-1107 providing the Plaintiff until May 28, 2025, to effectuate service on Diaz pursuant to the Federal Rules of Civil Procedure. The Defendant in this action, Edgardo Diaz Melendez (hereinafter "Diaz"), is domiciled in Puerto Rico, however, is a frequent traveler and has made locating Diaz and effectuating service challenging. Plaintiff anticipates service to be effectuated on Diaz within the next fourteen (14) days.

Following the filing of Plaintiff's Complaint, this Honorable Court issued a Notice of Pretrial Conference directing the parties to appear on May 1, 2025, and to file a Joint Letter and Proposed Civil Case Management Plan no later than April 24, 2025. However, as a result of Plaintiff's inability to effectuate service to date, Plaintiff is unable to work with Defendant's counsel to submit the Proposed Case Management Plan as directed. Accordingly, Plaintiff respectfully requests an extension of time of thirty (30) days to submit the Proposed Case Management Plan in order for Diaz to be served with the Complaint and the Notice of Pretrial Conference, as directed by this Honorable Court, and to allow counsel for both parties to work together to submit the same. Additionally, Plaintiff requests an adjournment of the Pretrial Conference set for May 1, 2025, likewise for an additional thirty (30) days, so that counsel for the Defendant may be present. This is Plaintiff's first request for an adjournment and Plaintiff's first request for an extension of time. Plaintiff is unable to inform this Honorable Court whether the Defendant consents to Plaintiff's

Request due to service not having been effectuated, and no appearances having been made on behalf of the Defendant to date.

GRANTED. The Initial Pretrial Conference is hereby ADJOURNED until **June 12, 2025 at 10 A.M.** The parties shall submit a Joint Letter and Proposed Civil Case Management Plan by **June 5, 2025.**

SO ORDERED. Dated April 23, 2025.



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE

Respectfully Submitted,

/s/ Brittany Henderson
Bradley J. Edwards
Brittany N. Henderson
Dean M. Kaire

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