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September 1, 2023

VIA ECF

The Honorable Sarah Netburn, U.S.M.J.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10017

Re: *Filho, et al. v. OTG Management LLC* (No. 19-cv-8287)
Joint Letter Requesting a Short Adjournment of the Final Fairness Hearing

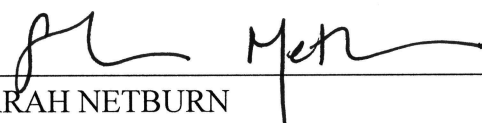
Dear Judge Netburn:

We represent Defendant OTG Management in the above-referenced action, and write jointly with Plaintiffs' counsel to request that this Court enter an order (1) rescheduling the October 23, 2023 Final Fairness Hearing to a date at least 110 days after the Court issues its order, and (2) approving the attached Notice to class members informing them of that scheduling change. *See* Exhibit A.

We ask the Court to reschedule the hearing because counsel for the Parties have met and conferred and have determined that, due to OTG's unintentional clerical error, 176 additional individuals must be added to the class list and receive notice of the settlement and other applicable forms, as authorized by the Court's June 13, 2023 Order. *See* Dkt. No. 165. OTG will bear the cost related to sending such notices and forms, and has agreed to increase the settlement fund by a proportional amount to ensure that all estimated current class members' recoveries will be unaffected by the addition of these new 176 class members.

The parties' joint request to reschedule the October 23, 2023 Final Fairness Hearing is GRANTED. The Final Fairness Hearing is rescheduled to January 9, 2024, at 11:00 a.m. The parties' joint request for the Court to approve the attached Notice to class members is also GRANTED.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

Dated: September 7, 2023
New York, New York

Respectfully Submitted,

/s/ Lawrence J. Del Rossi
Lawrence J. Del Rossi
For Defendant

/s/ Molly Brooks
Molly Brooks
*For Plaintiffs, Collective Members
and Putative Class Members*

cc: All Attorneys of Record (via ECF)

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAFINIS FILHO, RAQUEL ERNEST and
CHANTEL LYNCH on behalf of themselves
and others similarly situated,

Plaintiffs,

-against-

OTG MANAGEMENT, LLC,

Defendant.

Case No. 19-CV08287 (ALC) (SN)

COURT-AUTHORIZED NOTICE

IMPORTANT INFORMATION REGARDING OTG WAGE & HOUR SETTLEMENT

You previously received a Court-authorized Notice (the “Notice”) explaining your eligibility to participate in a settlement of a lawsuit against OTG on behalf of servers, bartenders, or other tipped workers at LaGuardia Airport, John F. Kennedy Airport, or Newark Liberty Airport between September 6, 2013 to February 1, 2023 and informing you of your legal rights and options with respect to that settlement.

That Notice also informed you that the Court would hold a hearing to determine whether to give final approval to the Settlement (the “Fairness Hearing”). The Fairness Hearing has been **rescheduled** to January 9, 2024, at 11:00 a.m.

If you have any questions, please contact the settlement administrator (877) 793-1838; info@OTGTippedWorkerCase.com, or Plaintiffs’ counsel Outten & Golden LLP at (212) 245-1000 or OTGTippedWorkerCase@OuttenGolden.com.

PLEASE DO NOT CALL OR WRITE TO THE COURT ABOUT THIS NOTICE.