## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ROKU INC.,	)
	)
Plaintiff,	) )
V.	)
THE INDIVIDUALS, CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, AND UNINCORPORATED ASSOCIATIONS IDENTIFIED ON SCHEDULE A HERETO,	))))))
Defendants.	)))

Case No.: 1:21-cv-00202

## ORDER TO SHOW CAUSE WHY DEFAULT JUDGMENT AND PERMANENT INJUNCTION SHOULD NOT BE ENTERED AGAINST DEFAULTING DEFENDANTS

Upon the accompanying Declaration of Christopher Tom, Esq., in support of Plaintiff's application for entry of an Order to Show Cause Why Default Judgment and Permanent Injunction Should Not Be Entered Against Defaulting Defendants, and Proof of Service of Summons and Complaint, as well as the Memorandum of Law and Certificate of the Clerk of the Court stating that no answer has been filed in this Action by the defendants in the First Amended Schedule A, attached hereto (collectively, the "<u>Defaulting Defendants</u>"), and upon all other pleadings and papers filed in this action, it is hereby:

ORDERED that Defaulting Defendants show cause before the Honorable Paul G. Gardephe on <u>August 18, 2022</u> at <u>11:45 a.m.</u> (the "Hearing"), why an Order should not be issued pursuant to Rule 55 of the Federal Rules of Civil Procedure entering a final judgment by default, as well as

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a permanent injunction against each Defaulting Defendant; as well as awarding such other further relief as the Court deems equitable and just; and it is further

ORDERED that the service copy of this ORDER TO SHOW CAUSE and its supporting papers, including the Declaration of Christopher Tom, Esq., shall be made on each Defaulting Defendant by <u>August 1, 2022</u> (collectively, the "OS<u>C Papers")</u>, and deemed effective as to all of the Defaulting Defendants if it is completed in the same manner as set forth in Paragraph 5 of this Court's January 20, 2022 Order to Show Cause [Doc. No. 22]; and it is further

ORDERED that opposing papers, if any, shall be filed with the Court and served on Plaintiff's counsel on or before <u>August 8, 2022</u>, by delivering copies thereof to the office of Cole Schotz P.C., 1325 Avenue of the Americas, 19<sup>th</sup> Floor, New York, New York 10019, Attn: Michael R. Yellin, Esq. Plaintiffs shall file and serve and reply papers on or before <u>August 11, 2022</u>; and it is further

ORDERED that if Defaulting Defendants, or any of them, fail to appear at the Hearing or otherwise fail to respond to this Order to Show Cause, a default judgment will be entered against each of the Defaulting Defendants.

The August 18, 2022 Hearing will take place by telephone. The parties are directed to dial 888-363-4749 to participate, and to enter the access code 6212642. The press and public may obtain access to the telephone conference by dialing the same number and using the same access code. The Court is holding multiple telephone conferences on this date. The parties should call in at the scheduled time and wait on the line for their case to be called. At that time, the Court will un-mute the parties' lines. One day before the conference, the parties must email Michael\_Ruocco@nysd.uscourts.gov and GardepheNYSDChambers@nysd.uscourts.gov with the phone numbers that the parties will be using to dial into the conference so that the Court knows which numbers to un-mute. The email should include the case name and case number in the subject line.

SO ORDERED.

Dated: July 27, 2022

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HONORABLE PAUL G. GARDEPHE