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January 4, 2022

Via ECF

The Honorable Vernon S. Broderick
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 518
New York, New York 10007

Re: *Delcid v. Helen of Troy, Case No. 1:21-cv-09569 (S.D.N.Y.);*
Kallamni v. Tengram Capital, Case No. 1:21-cv-09616 (S.D.N.Y.)

Dear Judge Broderick:

I write on behalf Plaintiffs Otto Delcid, Luz Roman, and Mina Kallamni (collectively "Plaintiffs") to respectfully request that the Court enter an order (i) consolidating the *Delcid* and *Kallamni* actions and (ii) set a schedule for the filing of a consolidated complaint and briefing schedule on Plaintiffs' Motion for the Appointment of Interim Class Counsel.

On November 18, 2021, Plaintiffs Otto Delcid and Luz Roman filed the action *Delcid v. Helen of Troy*, Case No. 1:21-cv-09569 (S.D.N.Y.), before this Court (ECF No. 1). On November 19, 2021, Plaintiff Mina Kallamni filed the action *Kallamni v. Tengram Capital*, Case No. 1:21-cv-09616 (S.D.N.Y.), before Judge Buchwald in this District. On December 22, 2021, Plaintiffs filed a Motion for Consolidation and Appointment of Interim Class Counsel (ECF No. 12). On December 30, 2021, counsel for Defendants¹ informed Plaintiffs that Defendants do not oppose the Motion insofar as it requests consolidation of the two actions, but do intend to oppose the Motion insofar as it requests the appointment of interim class counsel.²

Moreover, on November 15, 2021, Plaintiff Andrea Fahey filed the action *Fahey v. Helen of Troy*, Case No. 2:21-cv-14441-DMM (S.D. Fla.), in the Southern District of Florida. By agreement of the parties, the *Fahey* action will be dismissed and Andrea Fahey will be added as a named plaintiff in a consolidated complaint filed in this action. Defendants consent to this Court's jurisdiction over Ms. Fahey and her claims, and consent to venue in this Court, but otherwise reserve all other rights, defenses, and arguments. Thus, the Parties seek to set a

¹ The named defendants in the current complaints are Helen of Troy Limited and Tengram Capital Partners, LLC. Helen of Troy Limited and TCP HOT Acquisition LLC will be the named defendants in a consolidated amended complaint.

² On January 3, 2022, the Court denied Plaintiffs' Motion for Consolidation and Appointment of Interim Class Counsel without prejudice. ECF No. 14. Plaintiffs intend to renew their Motion as to the Appointment of Interim Class Counsel, and will refile said Motion simultaneously with the consolidated complaint (if the Court allows).

In light of the foregoing, Federal Rule of Civil Procedure 42(a), and the governing precedent on consolidation, (see Doc. 14), the unopposed motion for consolidation is GRANTED. The proposed schedule set forth in this letter is hereby adopted.

SO ORDERED: 01/10/22

A handwritten signature in black ink that reads "Vernon Broderick". Below the signature is a horizontal line, and underneath that line, the text "HON. VERNON S. BRODERICK UNITED STATES DISTRICT JUDGE" is printed in a small, black, sans-serif font.

HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE

schedule for the filing of a consolidated complaint including all named plaintiffs and briefing on the Motion and responsive pleading.

For good cause shown, Plaintiffs respectfully request, and Defendants do not oppose, that the Court:

1. Consolidate the *Delcid* and *Kallamni* actions before this Court;
2. Permit Plaintiffs to file a consolidated complaint **14 days** after the Court's order consolidating the actions;
3. Set the date for Defendants' response to Plaintiffs' consolidated complaint as **30 days** after it has been filed and served;
4. Set the date for Defendants' opposition to Plaintiffs' Motion for Appointment of Interim Class Counsel as **30 days** after the filing of the consolidated complaint; and
5. Set the date for Plaintiffs' reply in further support of the Motion for Appointment of Interim Class Counsel as **14 days** after Defendants' opposition.

Respectfully submitted,



Andrew J. Oberfell

CC: All counsel of record (via ECF)