



**Via Email and ECF**

Hon. Margaret M. Garnett  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Courtroom 906  
New York, NY 10007



**New York**

3 World Trade Center  
175 Greenwich Street  
New York, NY 10007

**Timothy Howard**

T +1 (212) 277-4000

T +1 (212) 230-4690 (direct)

E [timothy.howard@freshfields.com](mailto:timothy.howard@freshfields.com)

[freshfields.us](http://freshfields.us)

June 3, 2024

**RE: *Google LLC v. Sun*, No. 1:24-cv-02559-MMG**

Dear Judge Garnett:

We represent Plaintiff Google LLC and write, in accordance with §§ I(B)(5) and II(A)(5) of Your Honor's individual practices to respectfully request that the Court adjourn the initial pretrial conference, which is scheduled for June 13, 2024.

Google seeks this extension because it served Defendants last week. Defendants engaged in extensive efforts to conceal their identities online, making it challenging for Google to serve process on them personally. On information and belief, Defendants Yunfeng Sun and Hongnam Cheung reside in the People's Republic of China and Hong Kong, respectively.

As to Defendant Yunfeng Sun, despite conducting a months-long investigation, using diligent efforts, Google could not confirm Sun's addresses with reasonable certainty. Thus, Google moved for an order authorizing email service on Sun, and the Court granted Google's motion on May 23. ECF No. 17. Google has since served Sun by email, on May 31, 2024. He must respond to the Complaint by June 21, 2024. *See* Fed. R. Civ. P. 12(a)(1)(a)(i).

As to Defendant Hongnam Cheung, Google has obtained an address in Hong Kong at which it believes Cheung resides. Google has effected service through postal channels in accordance with the Hague Convention.

Google thus requests that the Court adjourn the initial pretrial conference until after June 21, 2024, the date by which both Defendants will have responded to the Complaint or defaulted. Doing so will allow Defendants time to appear in the matter and will allow Google to understand whether Defendants intend to defend the claims against them or default. Counsel for Google can be available for an initial pretrial conference from August 5, 2024 through August 9, 2024.



This is Google's first request for an adjournment. No other scheduled dates in this matter would be affected by adjourning the initial pretrial conference. Because Defendants were recently served and have not yet appeared, Google has not contacted them to seek their consent.

Thank you in advance for your consideration.

GRANTED. The Initial Pretrial Conference is hereby adjourned to **August 8, 2024 at 9:00a.m.** If, after June 21, 2024 but before August 8, 2024, it becomes clear to Plaintiff that Defendants have defaulted and do not intend to defend the claims against them in this Court, Plaintiff is hereby ORDERED to submit a letter (1) setting forth a proposed date by which they will move for default judgment, and (2) requesting an adjournment of the Initial Pretrial Conference. If Defendants timely appear, the Initial Pretrial Conference will go forward as scheduled.

SO ORDERED. Dated June 4, 2024.

  
HON. MARGARET M. GARNETT  
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/ Timothy T. Howard

Timothy T. Howard  
Counsel for Plaintiff Google LLC