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December 1, 2022

Via ECF

The Honorable Jennifer E. Willis
United States Magistrate Judge
United States District Court, S.D.N.Y.
40 Foley Square
New York, New York 10007

**Re: *3M Company v. Performance Supply, LLC*; Case No. 1:20-cv-02949-JLR-JW
Update on Status of the Action**

Dear Judge Willis:

We represent Plaintiff 3M Company (“3M”) in the above-referenced civil action. On November 23, 2022, Judge Rochon referred this case to Your Honor for 3M’s “anticipated motion for a default judgment and permanent injunction, along with General Pretrial Purposes” (the “Motion”). Doc. Nos. 34, 35. Judge Rochon also Ordered 3M to file a status report about its Motion by December 1, 2022. *See id.* I am pleased to report that, on November 29, 2022, 3M obtained a Clerk’s Certificate of Default against Defendant Performance Supply, LLC pursuant to Rules 55.1(b) and 55.2(b)(1) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. *See* Doc. No. 39. As a next step, unless Your Honor Orders otherwise, pursuant to Rules I.B and II.A of this Court’s Individual Practices in Civil Cases, 3M will file a pre-motion letter concerning its Motion by December 8, 2022.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/ Carmine R. Zarlenga
Carmine R. Zarlenga

cc (via USPS):
Performance Supply, LLC
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3 Westbrook Way
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