

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

DALILA YEEND and
BOUNNAM PHIMASONE,

Plaintiffs,

v.

AKIMA GLOBAL SERVICES, LLC,
a/k/a AGS,

Defendant.

Civil Case No. 1:20-cv-01281

**NOTICE OF MOTION TO STRIKE
DEFENDANT'S AFFIRMATIVE DEFENSES**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion to Strike Defendant's Affirmative Defenses, the Plaintiffs respectfully move this Court to strike Defendant's second, third, fourth, fifth, twelfth, nineteenth, twentieth, and twenty-second defenses pursuant to Fed. R. Civ. P. 12(f). However, because Plaintiffs believe this case is not properly in this Court and intend to move shortly to remand it to state court (*see* Dkt. 13), Plaintiffs respectfully request that the Court hold this motion in abeyance, pending resolution of the motion to remand.

The next available return date for this motion is December 17, 2020.

Respectfully submitted,

/s/ Maureen Hussain

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CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2020, I electronically filed Plaintiffs' Motion to Strike Defendant's Affirmative Defenses and its supporting memorandum of law with the Clerk of the District Court using the CM/ECF system, which sent notification to all parties of record.

/s/ Maureen Hussain
WORKER JUSTICE CENTER OF NY