

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HONG KONG YU'EN E-COMMERCE CO. LIMITED,	)	
	)	
	)	
Plaintiff,	)	Case No: 1:24-cv-12483-EEB-
	)	MDW
v.	)	
	)	
THE INDIVIDUALS, CORPORATIONS,	)	Honorable Judge Elaine E. Bucklo
LIMITED LIABILITY COMPANIES,	)	Magistrate M. David Weisman
PARTNERSHIPS AND UNINCORPORATED	)	
ASSOCIATIONS IDENTIFIED IN	)	
SCHEDULE "A" HERETO,	)	
	)	
Defendants.	)	

**FUNLINGO'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD**

FUNLINGO, a defendant in this case, by and through its undersigned counsel, and for its uncontested motion for extension of time to answer or otherwise plead, state as follows:

1. FUNLINGO respectfully moves the Court, under FRCP 6(b)(1)(A), for an order extending its deadline to respond to the First Amended Complaint ("FAC") to March 14, 2025.
2. Plaintiff stated that it would not oppose the requested extension. (See Exhibit A to Gao Declaration.)
3. FUNLINGO submits that its time to respond to the FAC has not expired.
4. The Deadlines/Hearings in the CM ECF system provides that the deadline for defendants to answer the FAC [Dkt. #27] was set for January 27, 2025, based on the proof of service indicating that the Summons and original Complaint were served on January 3, 2025 [Dkt.

29], and that the First Amended Complaint (“FAC”) was served on January 6, 2025 [Dkt. #30].

5. FUNLINGO, however, disputes this timeline and asserts that it did not receive the complete and correct version of the FAC until February 13, 2025, when Plaintiff filed and served the correct Schedule A to the FAC [Dkt. #40.1], which accurately listed the defendants in this case.

6. The service of the FAC on February 6, 2025, was insufficient, as FUNLINGO’s name did not appear in the FAC [Dkt. #27] or in the incorrect Schedule A (Exhibit 2) [Dkt. #27.2].

7. On February 13, 2025, when FUNLINGO inquired with Plaintiff about why its name could not be found in the FAC or the Schedule A [Dkt. #27.2], Plaintiff eventually realized that it had filed the wrong Schedule A [Dkt. #27.2] and subsequently filed the correct one [Dkt. #40.1] along with Plaintiff’s Notice of Errata [Dkt. 40]. (See Exhibit A to Gao Declaration.)

8. Given that Plaintiff did not serve the correct Schedule A until February 13, 2025 [Dkt. # 40.1], service was incomplete until that date. See *Wallace v. City of Washington*, 14-CV-1457, 2015 WL 758447, at *3 (C.D. Ill. Feb. 23, 2015) (holding that service was insufficient where plaintiffs served an incomplete FAC that omitted key exhibits).

9. Therefore, FUNLINGO has 21 days from February 13, 2025, to respond to the FAC, making the deadline March 6, 2025. Since FUNLINGO’s deadline to respond has not yet passed, this Court should grant the requested extension under FRCP 6(b)(1)(A).

10. There is good cause for the requested extension.

11. The undersigned was recently retained as counsel for FUNLINGO in this case, and therefore requires additional time to investigate the allegations in the FAC.

12. Accordingly, FUNLINGO respectfully requests that the Court grant this unopposed motion for an extension, setting the deadline to respond to the FAC as March 14, 2025.

13. No prior application for this relief has been made.

Dated: February 14, 2025

Respectfully submitted,

/s/ Zheng Gao
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