

**FILED**  
IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.

★ JUL 27 2017 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X BROOKLYN OFFICE

KENDALL GHEE and YANG SHEN, *on behalf of themselves*  
*And all others similarly situated,*

Plaintiffs,

**ORDER**  
**17 CV 1554 (FB)(LB)**

-against-

APPLE-METRO, INC., a New York corporation;  
42<sup>ND</sup> APPLE, LLC d/b/a APPLEBEE'S NEIGHBORHOOD  
GRILL & BAR, a New York corporation; and BROADWAY  
APPLE, LLC d/b/a APPLEBEE'S NEIGHBORHOOD GRILL  
& BAR, a New York corporation,

Defendants.

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**BLOOM, United States Magistrate Judge:**

The Court held an initial conference in this putative class action alleging violations of the New York General Business Law on July 27, 2017. As discussed on the record, as defendants reside in the Southern District of New York and all of the events alleged in the complaint occurred in the Times Square area within the Southern District of New York, the Eastern District of New York is not the proper venue. See 28 U.S.C. §1391(b). Accordingly, in the interest of justice and upon consent of the parties, this matter is hereby transferred to the United States District Court for the Southern District of New York. See 28 U.S.C. § 1406(a) ("The district court of a district in which is filed a case laying venue in the wrong . . . district shall . . . if in the interest of justice, transfer such case").

The Clerk of Court shall transfer this matter to the Southern District of New York. That provision of Rule 83.1 of the Local Rules for the Eastern District of New York which requires a seven-day delay is waived.

SO ORDERED.

/S/ Judge Lois Bloom

LOIS BLOOM

United States Magistrate Judge

Dated: July 27, 2017  
Brooklyn, New York