

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:16-cv-00156-DLC**

Encarnacion et al v. City Of New York
Assigned to: Judge Denise L. Cote
Referred to: Magistrate Judge James C. Francis (Settlement)
Cause: 42:1983cvp Civil Rights (Personal Property)

Date Filed: 01/08/2016
Date Terminated: 02/12/2018
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

The Bronx Defenders

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Plaintiff

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Niji Jain
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Plaintiff

Kaleb Hagos

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Eric Brenner
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Plaintiff

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V.

Defendant

City Of New York

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Date Filed	#	Docket Text
01/08/2016	<u>1</u>	COMPLAINT against City Of New York. (Filing Fee \$ 400.00, Receipt Number 0208-11817861) Document filed by Victor M. Encarnacion, The Bronx Defenders. (Kovel, Mariana) (Entered: 01/08/2016)
01/08/2016	<u>2</u>	REQUEST FOR ISSUANCE OF SUMMONS as to City of New York, re: <u>1</u> Complaint. Document filed by Victor M. Encarnacion, The Bronx Defenders. (Kovel, Mariana) (Entered: 01/08/2016)
01/08/2016	<u>3</u>	CIVIL COVER SHEET filed. (Kovel, Mariana) (Entered: 01/08/2016)
01/08/2016	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by The Bronx Defenders. (Kovel, Mariana) (Entered: 01/08/2016)
01/11/2016		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Mariana Louise Kovel. The party information for the following party/parties has been modified: Victor M. Encarnacion. The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error. (pc) (Entered: 01/11/2016)
01/11/2016		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Denise L. Cote. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pc) (Entered: 01/11/2016)
01/11/2016		Magistrate Judge James C. Francis IV is so designated. (pc) (Entered: 01/11/2016)
01/11/2016		Case Designated ECF. (pc) (Entered: 01/11/2016)
01/11/2016	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to City Of New York. (pc) (Entered: 01/11/2016)
01/11/2016	<u>6</u>	NOTICE OF APPEARANCE by Adam Nicholas Shoop on behalf of Victor Encarnacion, The Bronx Defenders. (Shoop, Adam) (Entered: 01/11/2016)
01/13/2016	<u>7</u>	NOTICE OF INITIAL PRETRIAL CONFERENCE (Notice): Initial Conference set for 3/11/2016 at 11:00 AM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote. -Please follow the procedures set forth in the Notice. (Signed by Judge Denise L. Cote on 1/13/2016) (gr) (Entered: 01/13/2016)

01/22/2016	<u>8</u>	AFFIDAVIT OF SERVICE. City Of New York served on 1/13/2016, answer due 2/3/2016. Service was accepted by B. YEE AUTHORIZED AGENT. Document filed by Victor Encarnacion; The Bronx Defenders. (Shoop, Adam) (Entered: 01/22/2016)
01/27/2016	<u>9</u>	NOTICE OF APPEARANCE by Aviva Yocheved Horowitz on behalf of City Of New York. (Horowitz, Aviva) (Entered: 01/27/2016)
01/27/2016	<u>10</u>	NOTICE OF APPEARANCE by Johanna Beth Steinberg on behalf of Victor Encarnacion, The Bronx Defenders. (Steinberg, Johanna) (Entered: 01/27/2016)
02/01/2016	<u>11</u>	FIRST LETTER MOTION for Extension of Time addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated February 1, 2016. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 02/01/2016)
02/02/2016	<u>12</u>	ENDORSED letter addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated February 1, 2016 re: City of New York's Letter request for extension of Time to answer from 2/3/016 to 3/11/2016. ENDORSEMENT: The extension is granted to 3/10/16. (Signed by Judge Denise L. Cote on 2/2/2016) (gr) (Entered: 02/02/2016)
02/19/2016	<u>13</u>	LETTER MOTION to Adjourn Conference addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated February 19, 2016. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 02/19/2016)
02/19/2016	<u>14</u>	ENDORSED LETTER addressed to Judge Cote from Aviva Y. Horowitz dated February 19, 2016 requesting the adjournment of the February 26, 2016 Conference with consent of Plaintiff. ENDORSEMENT: The conference is adjourned to March 18 at 11:30 a.m. (Signed by Judge Denise L. Cote on 2/19/2016) (gr) (Entered: 02/19/2016)
03/10/2016	<u>15</u>	ANSWER to <u>1</u> Complaint. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 03/10/2016)
03/14/2016	<u>16</u>	NOTICE OF APPEARANCE by Eric Brenner on behalf of The Bronx Defenders. (Brenner, Eric) (Entered: 03/14/2016)
03/17/2016	<u>17</u>	NOTICE OF CHANGE OF ADDRESS by Johanna Beth Steinberg on behalf of All Plaintiffs. New Address: The Bronx Defenders, 360 East 161st Street, Bronx, New York, United States 10451, 718.508.3447. (Steinberg, Johanna) (Entered: 03/17/2016)
03/17/2016	<u>18</u>	NOTICE OF APPEARANCE by Aviva Yocheved Horowitz on behalf of City Of New York. (Horowitz, Aviva) (Entered: 03/17/2016)
03/18/2016	<u>19</u>	COURT EXHIBIT 1 (Property Clerk Division Acknowledgement of Demand Form) marked on March 18, 2016 during the initial conference proceeding. (gr) (Entered: 03/18/2016)
03/18/2016		Minute Entry for proceedings held before Judge Denise L. Cote: Initial Pretrial Conference held on 3/18/2016. (Court Reporter Sonya Huggins) (gr) (Entered: 03/18/2016)
03/21/2016	<u>20</u>	PRETRIAL SCHEDULING ORDER: As set forth at the pretrial conference held pursuant to Rule 16, Fed. R. Civ. P., on March 18, 2016, the following schedule shall govern the further conduct of pretrial proceedings in this case: 1) The parties shall submit a status letter to the Court by April 21, 2016. 2)The following motion will be served by the dates indicated below. Defendants motion to dismiss: Motion served by May 13, 2016; Opposition served by June 3, 2016; Reply served by June 10, 2016.... (Signed by Judge Denise L. Cote on 3/21/2016) (gr) (Entered: 03/21/2016)
03/29/2016	<u>21</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 3/18/2016 before Judge Denise L. Cote. Court Reporter/Transcriber: Sonya Ketter Huggins, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/22/2016. Redacted Transcript Deadline set for 5/2/2016. Release of Transcript Restriction set for 6/30/2016.(McGuirk, Kelly) (Entered: 03/29/2016)
03/29/2016	<u>22</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 3/18/16 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven

		(7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 03/29/2016)
04/21/2016	<u>23</u>	STATUS REPORT. <i>AND REQUEST FOR EXTENSION OF TIME</i> Document filed by City Of New York.(Horowitz, Aviva) (Entered: 04/21/2016)
04/21/2016	<u>24</u>	ENDORSED LETTER addressed to Judge Denise L. Cote from Aviva Horowitz dated 4/21/16 re STATUS REPORT AND REQUEST FOR EXTENSION OF TIME to submit a status letter by May 12, 2016 and to amend the briefing schedule for motion to dismiss. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 4/21/2016) (gr) (Entered: 04/21/2016)
05/12/2016	<u>25</u>	STATUS REPORT. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 05/12/2016)
05/13/2016	<u>26</u>	ENDORSED LETTER addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated 5/12/2016 re: defendant is prepared to proceed with the motion to dismiss the action with the briefing schedule set forth in the April 21, 2016 status letter approved by the Court.... ENDORSEMENT: So Ordered. (Signed by Judge Denise L. Cote on 5/13/2016) (gr) (Entered: 05/13/2016)
05/17/2016	<u>27</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement. Referred to Magistrate Judge James C. Francis. (Signed by Judge Denise L. Cote on 5/13/2016) (gr) (Entered: 05/17/2016)
05/17/2016	<u>28</u>	ORDER: On May 12, 2016, the defendant submitted a status report in the above-captioned matter. Accordingly, it is hereby ORDERED that, by Tuesday, May 17 at 5:00 p.m., the parties shall contact the chambers of Magistrate Judge Francis to schedule settlement discussions under his supervision. Those settlement discussions are to take place in June. (Signed by Judge Denise L. Cote on 5/13/2016) (gr) (Entered: 05/17/2016)
05/25/2016	<u>29</u>	LETTER addressed to Judge Denise L. Cote from Eric Brenner dated May 25, 2016 re: Amended Complaint. Document filed by The Bronx Defenders.(Brenner, Eric) (Entered: 05/25/2016)
06/02/2016	<u>30</u>	LETTER addressed to Judge Denise L. Cote from Eric Brenner dated June 2, 2016 re: Amended Complaint. Document filed by The Bronx Defenders.(Brenner, Eric) (Entered: 06/02/2016)
06/03/2016	<u>31</u>	FIRST AMENDED COMPLAINT amending <u>1</u> Complaint against City Of New York with JURY DEMAND.Document filed by Victor Encarnacion, The Bronx Defenders, Kenneth Clavasquin, Kaleb Hagos. Related document: <u>1</u> Complaint filed by The Bronx Defenders, Victor Encarnacion.(Brenner, Eric) (Entered: 06/03/2016)
06/08/2016	<u>32</u>	MOTION to Certify Class . Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders.(Brenner, Eric) (Entered: 06/08/2016)
06/08/2016	<u>33</u>	MEMORANDUM OF LAW in Support re: <u>32</u> MOTION to Certify Class . . Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Brenner, Eric) (Entered: 06/08/2016)
06/08/2016	<u>34</u>	DECLARATION of Eric Brenner in Support re: <u>32</u> MOTION to Certify Class .. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Brenner, Eric) (Entered: 06/08/2016)
06/08/2016	<u>35</u>	FILING ERROR – DEFICIENT DOCKET ENTRY (SEE <u>41</u> Declaration) – DECLARATION of Mariana Kovel in Support re: <u>32</u> MOTION to Certify Class . Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Brenner, Eric) Modified on 6/8/2016 (db). (Entered: 06/08/2016)
06/08/2016	<u>36</u>	DECLARATION of Michael Pope in Support re: <u>32</u> MOTION to Certify Class .. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Attachments: # <u>1</u> Exhibit Vargas Article 78 Notice of Petition)(Brenner,

		Eric) (Entered: 06/08/2016)
06/08/2016	<u>37</u>	DECLARATION of Lisa Schreibersdorf in Support re: <u>32</u> MOTION to Certify Class .. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Brenner, Eric) (Entered: 06/08/2016)
06/08/2016	<u>38</u>	DECLARATION of Adam Shoop in Support re: <u>32</u> MOTION to Certify Class .. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Attachments: # <u>1</u> Exhibit NYPD Property Clerk Division 2013 Accounting Summary, # <u>2</u> Exhibit Police Department City of New York Revenue Generated for July 1, 2012 to June 30, 2013, # <u>3</u> Exhibit Report on the Fiscal 2017 Preliminary Budget and the Fiscal 2016 Preliminary Mayors Management Report New York Police Department)(Brenner, Eric) (Entered: 06/08/2016)
06/08/2016	<u>39</u>	DECLARATION of Alexandra Rockoff in Support re: <u>32</u> MOTION to Certify Class .. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Brenner, Eric) (Entered: 06/08/2016)
06/08/2016	<u>40</u>	DECLARATION of Steven Wasserman in Support re: <u>32</u> MOTION to Certify Class .. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Brenner, Eric) (Entered: 06/08/2016)
06/08/2016	<u>41</u>	DECLARATION of Mariana Kovel in Support re: <u>32</u> MOTION to Certify Class .. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Brenner, Eric) (Entered: 06/08/2016)
06/09/2016	<u>42</u>	LETTER MOTION to Adjourn Conference <i>and Extend Time to Submit Pre-Mediation Memo</i> addressed to Magistrate Judge James C. Francis IV from Aviva Y. Horowitz dated June 9, 2016. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 06/09/2016)
06/09/2016	<u>43</u>	NOTICE OF APPEARANCE by Mariana Louise Kovel on behalf of Kenneth Clavasquin, Kaleb Hagos. (Kovel, Mariana) (Entered: 06/09/2016)
06/09/2016	<u>44</u>	NOTICE OF APPEARANCE by Adam Nicholas Shoop on behalf of Kenneth Clavasquin, Kaleb Hagos. (Shoop, Adam) (Entered: 06/09/2016)
06/09/2016	<u>45</u>	SCHEDULING ORDER: On June 8, 2016, the plaintiffs filed a motion for class certification under Rule 23, Fed. R. Civ. P. Accordingly, it is hereby ORDERED that that defendants opposition is due on Friday, July 8. The plaintiffs reply, if any, is due by Friday, July 22..... (Signed by Judge Denise L. Cote on 6/9/2016) (gr) (Entered: 06/09/2016)
06/10/2016	<u>46</u>	LETTER RESPONSE in Opposition to Motion addressed to Magistrate Judge James C. Francis IV from Eric Brenner dated June 10, 2016 re: <u>42</u> LETTER MOTION to Adjourn Conference <i>and Extend Time to Submit Pre-Mediation Memo</i> addressed to Magistrate Judge James C. Francis IV from Aviva Y. Horowitz dated June 9, 2016. . Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Brenner, Eric) (Entered: 06/10/2016)
06/13/2016	<u>47</u>	NOTICE OF APPEARANCE by Johanna Beth Steinberg on behalf of Kenneth Clavasquin, Kaleb Hagos. (Steinberg, Johanna) (Entered: 06/13/2016)
06/14/2016	<u>48</u>	ORDER denying <u>42</u> Letter Motion to Adjourn Conference. The amendments to the complaint do not appear to materially affect any potential settlement. Moreover, delaying settlement discussions could disrupt the schedule for moving for class certification. (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 06/14/2016)
06/16/2016	<u>49</u>	FIRST LETTER MOTION for Extension of Time to File Answer <i>to Amended Complaint</i> addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated June 16, 2016. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 06/16/2016)
06/16/2016	<u>50</u>	MEMO ENDORSEMENT granting <u>49</u> Letter Motion for Extension of Time for City Of New York to answer until 7/8/2016 addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated June 16, 2016. (Signed by Judge Denise L. Cote on 6/16/2016) (gr) (Entered: 06/16/2016)

06/20/2016	<u>51</u>	SECOND LETTER MOTION for Extension of Time to File Answer <i>to Amended Complaint and for Extension of Time to Respond to the Plaintiffs' Motion for Class Certification</i> addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated June 20, 2016. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 06/20/2016)
06/21/2016	<u>52</u>	MEMO ENDORSEMENT granting <u>51</u> Letter Motion for Extension of Time for City Of New York to answer the Amended Complaint by 7/29/2016 and an extension of time to respond to the Plaintiffs' Motion for Class Certification by 8/17/2016 addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated June 20, 2016. (Signed by Judge Denise L. Cote on 6/21/2016) (gr) (Entered: 06/21/2016)
07/06/2016		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Settlement Conference held on 7/6/2016. (Bacchus, Michael) (Entered: 07/07/2016)
07/25/2016	<u>53</u>	FIRST LETTER MOTION to Stay <i>all proceedings in the instant matter</i> addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated July 25, 2016. Document filed by City Of New York. (Attachments: # <u>1</u> Text of Proposed Order Stay)(Horowitz, Aviva) (Entered: 07/25/2016)
07/25/2016	<u>54</u>	STIPULATION.....by and between counsel to the respective parties in the above-captioned actions, that all proceedings in this instant matter shall be stayed through February 28, 2017 while the parties work toward a possible settlement..... (Signed by Judge Denise L. Cote on 7/25/2016) (gr) (Entered: 07/25/2016)
07/25/2016	<u>55</u>	ORDER: On June 8, 2016, the plaintiffs filed a motion for class certification under Rule 23, Fed. R. Civ. P. On July 25, the parties filed a stipulation agreeing to stay the above-captioned action for six months while the terms of an initial settlement are implemented. Accordingly, it is hereby ORDERED that the plaintiffs June 8, 2016 motion for class certification is denied without prejudice to renewal upon the expiration of the six-month stay. (Signed by Judge Denise L. Cote on 7/25/2016) (gr) (Entered: 07/25/2016)
07/28/2016	<u>56</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Mariana Louise Kovel to Withdraw as Attorney <i>for Plaintiffs in this matter</i> . Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Attachments: # <u>1</u> Affidavit of Mariana Kovel in support of Motion to Withdraw Appearance)(Kovel, Mariana) Modified on 8/9/2016 (db). (Entered: 07/28/2016)
08/08/2016	<u>57</u>	MEMO ENDORSEMENT granting <u>56</u> Motion to Withdraw as Attorney. Attorney Mariana Louise Kovel terminated. (Signed by Judge Denise L. Cote on 8/8/2016) (gr) (Entered: 08/08/2016)
02/28/2017	<u>58</u>	STATUS REPORT. <i>and Joint Request for Mediation and Continuance of Stay</i> Document filed by City Of New York.(Horowitz, Aviva) (Entered: 02/28/2017)
03/01/2017	<u>59</u>	ORDER: On February 28, 2017, the defendant submitted a status report in the above-captioned matter. Accordingly, it is hereby ORDERED that the parties shall immediately contact the chambers of Magistrate Judge Francis to schedule settlement discussions under his supervision. Those settlement discussions are to take place in March. IT IS FURTHER ORDERED that the stay in the above-captioned matter will be continued through April 7, 2017. IT IS FURTHER ORDERED that the defendant shall submit a status report by April 7, 2017. (Signed by Judge Denise L. Cote on 2/28/2017) (gr) (Entered: 03/01/2017)
03/15/2017	<u>60</u>	LETTER MOTION for Extension of Time <i>For Mediation</i> addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated March 14, 2017. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 03/15/2017)
03/15/2017	<u>61</u>	MEMO ENDORSEMENT granting <u>60</u> Letter Motion for Extension of Time by which the parties are to schedule mediation with Magistrate Judge Francis. (Signed by Judge Denise L. Cote on 3/15/2017) (gr) (Entered: 03/15/2017)
03/29/2017	<u>62</u>	NOTICE OF APPEARANCE by Niji Jain on behalf of Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Jain, Niji) (Entered: 03/29/2017)
04/07/2017	<u>63</u>	STATUS REPORT. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 04/07/2017)

04/07/2017	<u>64</u>	ENDORSED LETTER addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated 4/7/2017 re: parties jointly request that the stay of all papers, discovery and Court appearances be continued through 5/26/17. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 4/7/2017) (gr) (Entered: 04/07/2017)
05/26/2017	<u>65</u>	STATUS REPORT. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 05/26/2017)
05/30/2017	<u>66</u>	MEMO ENDORSEMENT: on re: <u>65</u> Status Report filed by City Of New York. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 5/30/2017) (ap) (Entered: 05/30/2017)
06/22/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Settlement Conference held on 6/22/2017. (Bacchus, Michael) (Entered: 06/22/2017)
06/22/2017	<u>67</u>	ORDER: The complaint in this action was filed January 8, 2016. The plaintiffs filed an amended complaint on June 3 and moved to certify the class on June 8. On June 25, the action was stayed for six months pursuant to a joint request, and the motion for class certification was denied without prejudice to renewal upon expiration of the stay. The stay has since been extended three times while the parties have worked to agree to a settlement. It having been reported that a settlement has not been reached and the parties wish to proceed with litigation, it is hereby ORDERED that the stay is lifted. IT IS FURTHER ORDERED that counsel for all parties are directed to appear for a conference with the Court on June 27 at 10:30 a.m. in Courtroom 15B, 500 Pearl Street. IT IS FURTHER ORDERED that the defendant shall file an answer or any motion to dismiss by June 30, 2017. (Signed by Judge Denise L. Cote on 6/22/2017) (gr) (Entered: 06/22/2017)
06/22/2017		Set Hearing: Pretrial Conference set for 6/27/2017 at 10:30 AM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote. (gr) (Entered: 06/22/2017)
06/27/2017	<u>68</u>	PRETRIAL SCHEDULING ORDER: As set forth at the pretrial conference held pursuant to Rule 16, Fed. R. Civ. P., on June 27, 2017, the following schedule shall govern the further conduct of pretrial proceedings in this case.....A confidentiality agreement, or any dispute as to such an agreement, must be submitted to the Court by July 14. All fact discovery must be completed by November 17.....All discovery must be completed by January 19, 2017.....Any motion for summary judgment: -Motion served by February 9; Opposition served by March 2; Reply served by March 16....In the event no motion is filed, the Joint Pretrial Order must be filed by February 9.... (Signed by Judge Denise L. Cote on 6/27/2017) (gr) (Entered: 06/27/2017)
06/30/2017	<u>69</u>	LETTER addressed to Judge Denise L. Cote from Niji Jain dated June 30, 2017 re: Pretrial Scheduling Order. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders.(Jain, Niji) (Entered: 06/30/2017)
06/30/2017	<u>70</u>	ANSWER to <u>31</u> Amended Complaint,. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 06/30/2017)
06/30/2017	<u>71</u>	ENDORSED LETTER addressed to Judge Denise L. Cote from Niji Jain dated June 30, 2017 re: The parties have conferred and jointly request that the schedule require a class certification motion to be served no later than the deadline for filing dispositive motions (2/9/18), with opposition due three week after the motion is served and reply due two weeks after the opposition. ENDORSEMENT: So Ordered. (Signed by Judge Denise L. Cote on 6/30/2017) (gr) (Entered: 06/30/2017)
07/14/2017	<u>72</u>	LETTER MOTION for Discovery <i>Protective Order</i> addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated July 14, 2017. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 07/14/2017)
07/17/2017	<u>73</u>	STIPULATION AND PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Denise L. Cote on 7/17/2017) (gr) (Entered: 07/17/2017)
07/21/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Settlement Conference held on 7/21/2017. (Bacchus, Michael) (Entered: 07/25/2017)

07/26/2017	<u>74</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 6/27/2017 before Judge Denise L. Cote. Court Reporter/Transcriber: Rebecca Forman, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/16/2017. Redacted Transcript Deadline set for 8/28/2017. Release of Transcript Restriction set for 10/24/2017.(McGuirk, Kelly) (Entered: 07/26/2017)
07/26/2017	<u>75</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 6/27/17 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 07/26/2017)
09/12/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Settlement Conference held on 9/12/2017. (Bacchus, Michael) (Entered: 09/12/2017)
09/17/2017	<u>76</u>	NOTICE OF APPEARANCE by Diana Marsh Murray on behalf of City Of New York. (Murray, Diana) (Entered: 09/17/2017)
09/20/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Telephone Conference held on 9/20/2017. (Hotelling, David) (Entered: 09/26/2017)
10/19/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Telephone Conference held on 10/19/2017. (Hotelling, David) (Entered: 10/19/2017)
10/24/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Settlement Conference held on 10/24/2017. (Hotelling, David) (Entered: 10/24/2017)
11/13/2017	<u>77</u>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Judge Denise L. Cote from Niji Jain dated 11/13/2017. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders.(Jain, Niji) (Entered: 11/13/2017)
11/13/2017	<u>78</u>	MEMO ENDORSED LETTER addressed to Judge Cote from Niji Jain dated 11/13/2017 re: Motion for Extension of Time to Complete Discovery. ENDORSEMENT: Denied. As explained on 6/27/17, the parties may extend interim dates on consent, but the 1/19/18 and subsequent dates are firm. (Signed by Judge Denise L. Cote on 11/13/2017) (gr) (Entered: 11/13/2017)
02/09/2018	<u>79</u>	SETTLEMENT AGREEMENT . Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders.(Jain, Niji) (Entered: 02/09/2018)
02/12/2018	<u>80</u>	STIPULATION OF SETTLEMENT AND ORDER. (Signed by Judge Denise L. Cote on 2/12/2018) (Attachments: # <u>1</u> Exhibit A – Property Release Unit Standard Operating Procedure (January 28, 2018), #(2) Exhibit B – Patrol Guide Section 208-03, #(3) Exhibit C – General Administrative Information (SER# 28823965), #(4) Exhibit D – Revised Procedures For Claiming Property (November 30, 2017), #(5) Exhibit E – General Administrative Information (SER# 28823983)(gr) (Entered: 02/12/2018)
06/18/2018	<u>81</u>	FIRST LETTER MOTION for Extension of Time <i>to resolve attorney's fees</i> addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated June 18, 2018. Document filed by City Of New York.(Horowitz, Aviva) (Entered: 06/18/2018)
06/20/2018	<u>82</u>	ENDORSED LETTER addressed to Judge Denise L. Cote from Aviva Y. Horowitz dated June 18, 2018 RE: Extension of time to July 26, 2018 to permit the parties to resolve the matter of cost and attorneys' fees, or for counsel to submit a proposed briefing scheduling. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 6/20/2018) (gr) (Entered: 06/20/2018)
07/25/2018	<u>83</u>	SECOND LETTER MOTION for Extension of Time <i>to resolve costs and attorneys' fees</i> addressed to Judge Denise L. Cote from Niji Jain dated July 25, 2018. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders.(Jain, Niji) (Entered: 07/25/2018)

07/26/2018	<u>84</u>	ORDER granting <u>83</u> Letter Motion for Extension of Time to 8/16/2018 for counsel to resolve the matter of costs and attorneys' fees, or for counsel to submit a proposed briefing schedule if the matter is not resolved. (Signed by Judge Denise L. Cote on 7/26/2018) (gr) (Entered: 07/26/2018)
08/15/2018	<u>86</u>	PROPOSED STIPULATION AND ORDER. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Jain, Niji) (Entered: 08/15/2018)
08/15/2018	<u>87</u>	STIPULATION OF SETTLEMENT OF PLAINTIFFS' COSTS AND ATTORNEYS' FEES. (Signed by Judge Denise L. Cote on 8/15/2018) (gr) (Entered: 08/15/2018)
07/18/2019	<u>88</u>	MOTION for Johanna Beth Steinberg to Withdraw as Attorney . Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders.(Steinberg, Johanna) (Entered: 07/18/2019)
02/10/2020	<u>89</u>	NOTICE OF APPEARANCE by Samantha Michelle Schonfeld on behalf of City Of New York..(Schonfeld, Samantha) (Entered: 02/10/2020)
02/10/2020	<u>90</u>	PROPOSED STIPULATION AND ORDER. Document filed by Kenneth Clavasquin, Victor Encarnacion, Kaleb Hagos, The Bronx Defenders. (Jain, Niji) (Entered: 02/10/2020)
02/19/2020	<u>91</u>	ORDER: On February 10, 2020, the parties filed a proposed order regarding their Stipulation of Settlement that was so-ordered by this Court on February 12, 2018. It is hereby ORDERED that the parties February 10 proposed order is approved. (Signed by Judge Denise L. Cote on 2/19/2020) (gr) (Entered: 02/19/2020)