

**U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:10-cv-01535-SJF -ARL**

Abrahams et al v. MTA Long Island Bus
Assigned to: Judge Sandra J. Feuerstein
Referred to: Magistrate Judge Arlene R. Lindsay
Cause: 42:1201 Civil Rights (Disability)

Date Filed: 04/07/2010
Date Terminated: 05/26/2010
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

Danny Abrahams

represented by **Robert L. Schonfeld**
Moritt Hock Hamroff & Horowitz LLP
400 Garden City Plaza
Garden City, NY 11530
516-873-2000
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Email: rschonfeld@moritthock.com
ATTORNEY TO BE NOTICED

Plaintiff

Anthony Celardo

represented by **Robert L. Schonfeld**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Kevin Christman

represented by **Robert L. Schonfeld**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Lauren Epstein

represented by **Robert L. Schonfeld**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Meryl Jackelow

represented by **Robert L. Schonfeld**
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Plaintiff

Evan Skidmore

represented by **Robert L. Schonfeld**
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ATTORNEY TO BE NOTICED

Plaintiff

David Tindal

represented by **Robert L. Schonfeld**
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ATTORNEY TO BE NOTICED

Plaintiff

Lee Wolbrum

represented by **Robert L. Schonfeld**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant**MTA Long Island Bus**

represented by **Shawn Marcus Friedman**
 NYC Transit Authority
 130 Livingston Street, 12th Floor
 Brooklyn, NY 11201
 (718)694-5715
 Fax: (718)694-1070
 Email: shawn.friedman@nyct.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/07/2010	<u>1</u>	COMPLAINT against MTA Long Island Bus Disclosure Statement on Civil Cover Sheet completed –No., filed by Evan Skidmore, Anthony Celardo, Lauren Epstein, Meryl Jackelow, Lee Wolbrum, Danny Abrahams, David Tindal, Kevin Christman. (Attachments: # <u>1</u> Civil Cover Sheet) (Rodecker, John) (Entered: 04/07/2010)
04/07/2010		Summons Issued as to MTA Long Island Bus. (Rodecker, John) (Entered: 04/07/2010)
04/07/2010		FILING FEE: \$ 350.00, receipt number NYEC002876 (Rodecker, John) (Entered: 04/07/2010)
04/07/2010	<u>2</u>	Proposed Order to Show Cause and Temporary Restraining Order by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum (Rodecker, John) (Entered: 04/07/2010)
04/07/2010	<u>3</u>	MEMORANDUM of Law in Support re <u>2</u> Proposed Order to Show Cause and Temporary Restraining Order filed by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum. (Rodecker, John) (Entered: 04/07/2010)
04/08/2010	<u>4</u>	AMENDED COMPLAINT against MTA Long Island Bus, filed by Evan Skidmore, Anthony Celardo, Lauren Epstein, Meryl Jackelow, Lee Wolbrum, Danny Abrahams, David Tindal, Kevin Christman. (Attachments: # <u>1</u> Affidavit in Support, # <u>2</u> Affidavit of Service) (Schonfeld, Robert) (Entered: 04/08/2010)
04/08/2010	<u>5</u>	AFFIDAVIT/AFFIRMATION re <u>4</u> Amended Complaint, <i>Affidavit of Monica Godfrey-Lehrer</i> by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum (Attachments: # <u>1</u> Affidavit of Service) (Schonfeld, Robert) (Entered: 04/08/2010)
04/09/2010		Case Ineligible for Arbitration (Bollbach, Jean) (Entered: 04/09/2010)
04/09/2010	<u>6</u>	Minute Entry for proceedings held before Judge Joanna Seybert: Show Cause Hearing held on 4/9/2010. T.R.O. to be issued. Status Conference set for 4/27/2010 at 5:00pm before Judge Joanna Seybert. (Court Reporter D. Tursi) (Baran, Charles) (Entered: 04/09/2010)
04/09/2010	<u>7</u>	TEMPORARY RESTRAINING ORDER and ORDER TO SHOW CAUSE – Let Defendant show cause on 4/9/10 at 10:00AM as counsel may be heard for an order pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining Defendant as further set forth herein. Further a temporary restraining order is issued on consent of the parties, enjoining Defendant from implementing changes in its paratransit policy as stated in its letter dated 3/10/10 until 4/27/10. So Ordered by Judge Joanna Seybert on 4/9/10. (Valle, Christine) (Entered: 04/09/2010)
04/22/2010	<u>8</u>	AFFIDAVIT in Support of <i>Application for Temporary Restraining Order and Preliminary Injunction of Robert L. Schonfeld</i> for by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum. (Attachments: # <u>1</u> ATOC Membership List, # <u>2</u> ATOC Meeting Agenda for 1/12/10, # <u>3</u> Notice of Public Hearing, # <u>4</u> MTA Website Home Page, # <u>5</u> Information connected to Notice of Public Hearing, # <u>6</u> part of transcript of public hearing, # <u>7</u> part of transcript of public hearing, # <u>8</u> part

		of transcript of public hearing, # <u>9</u> Letter on LI Bus Cuts, # <u>10</u> ATOC Meeting Agenda for 3/9/10, # <u>11</u> Letter on Able Ride Cuts, # <u>12</u> Notice to Able Ride Consumers on Cuts, # <u>13</u> e-mail from Assemblyman Kellner's office, # <u>14</u> Newsday article of Judy Jacobs, # <u>15</u> Affidavit affidavit of Therese Brezinzski (Schonfeld, Robert) (Entered: 04/22/2010)
04/27/2010	<u>9</u>	Notice of Related Case (Ryan, Mary) (Entered: 04/27/2010)
04/27/2010	<u>10</u>	Letter <i>in reply to the Supplemental Affidavit filed by Plaintiffs</i> by MTA Long Island Bus (Friedman, Shawn) (Entered: 04/27/2010)
04/27/2010	<u>11</u>	NOTICE of Appearance by Shawn Marcus Friedman on behalf of MTA Long Island Bus (aty to be noticed) (Friedman, Shawn) (Entered: 04/27/2010)
04/27/2010	<u>12</u>	Letter <i>in Reply to Defendant's Counsel</i> by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum (Schonfeld, Robert) (Entered: 04/27/2010)
04/27/2010	<u>13</u>	Minute Entry for proceedings held before Judge Joanna Seybert: Show Cause Hearing held on 4/27/2010. Argument heard. Decision reserved. Counsel to appear before Judge Feuerstein 4/28/2010 at 11:30am when she hears a related case CV10-1862. (Court Reporter D. Tursi) (Baran, Charles) (Entered: 04/27/2010)
04/28/2010	<u>14</u>	ORDER OF RECUSAL – For the reason set forth herein, the undersigned must recuse herself. The Clerk of Court will be directed to reassign this case to Judge Sandra J. Feuerstein and Magistrate Judge Arlene R. Lindsay as related to 10cv1862. So Ordered by Judge Joanna Seybert on 4/28/2010. (Valle, Christine) (Entered: 04/28/2010)
04/28/2010	<u>20</u>	Minute Entry for proceedings held before Judge Sandra J. Feuerstein: Counsel present. Show Cause Hearing held on 4/28/2010. TRO continued for 30 days. Dfts to file motion with the Court by May 7, 2010; Plff to file opposition with the Court by May 17, 2010. Dfts are to file reply with the Court by May 20, 2010. (Brienza, Lauren) (Entered: 05/12/2010)
05/04/2010	<u>15</u>	MOTION for Reconsideration by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum. (Schonfeld, Robert) (Entered: 05/04/2010)
05/07/2010	<u>16</u>	MOTION to Dismiss by MTA Long Island Bus. (Friedman, Shawn) (Entered: 05/07/2010)
05/07/2010	<u>17</u>	AFFIDAVIT/DECLARATION in Support re <u>16</u> MOTION to Dismiss <i>Neil Yellin</i> filed by MTA Long Island Bus. (Friedman, Shawn) (Entered: 05/07/2010)
05/07/2010	<u>18</u>	AFFIDAVIT/DECLARATION in Support re <u>16</u> MOTION to Dismiss <i>Thomas Charles</i> filed by MTA Long Island Bus. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6) (Friedman, Shawn) (Entered: 05/07/2010)
05/07/2010	<u>19</u>	MEMORANDUM in Support re <u>16</u> MOTION to Dismiss filed by MTA Long Island Bus. (Friedman, Shawn) (Entered: 05/07/2010)
05/14/2010	<u>21</u>	AFFIDAVIT/AFFIRMATION re <u>16</u> MOTION to Dismiss by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum (Schonfeld, Robert) (Entered: 05/14/2010)
05/14/2010	<u>22</u>	MEMORANDUM in Support re <u>16</u> MOTION to Dismiss filed by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum. (Schonfeld, Robert) (Entered: 05/14/2010)
05/14/2010	<u>23</u>	AFFIDAVIT of Service for Affidavit and Memorandum of Law served on Shawn Friedman on May 14, 2010, filed by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum. (Schonfeld, Robert) (Entered: 05/14/2010)
05/20/2010	<u>24</u>	REPLY in Support re <u>16</u> MOTION to Dismiss filed by MTA Long Island Bus. (Friedman, Shawn) (Entered: 05/20/2010)

05/20/2010	<u>25</u>	AFFIDAVIT/DECLARATION in Support re <u>16</u> MOTION to Dismiss filed by MTA Long Island Bus. (Friedman, Shawn) (Entered: 05/20/2010)
05/25/2010	<u>26</u>	ORDER granting <u>16</u> Motion to Dismiss. Plffs' motion for a preliminary injunction is denied and dft's motion to dismiss the complaint is granted. The Clerk of the Court is directed to close this case. Ordered by Judge Sandra J. Feuerstein on 5/25/2010. (Brienza, Lauren) (Main Document 26 replaced on 5/27/2010) (Brienza, Lauren). (Entered: 05/26/2010)
05/26/2010	<u>27</u>	ORDER: Based upon this Court's rulings in the May 25 Order, the TRO and bond requirement are hereby vacated. Ordered by Judge Sandra J. Feuerstein on 5/26/2010. (Brienza, Lauren) (Entered: 05/26/2010)
05/26/2010	<u>28</u>	CLERK'S JUDGMENT in favor of MTA Long Island Bus against Anthony Celardo, Danny Abrahams, David Tindal, Evan Skidmore, Kevin Christman, Lauren Epstein, Lee Wolbrum, Meryl Jackelow. It is ORDERED AND ADJUDGED that plffs take nothing of dft; that plffs' motion for preliminary injunction is denied; that dft's motion to dismiss the complaint is granted; and that this case is hereby closed. Ordered by Clerk of Court on 5/26/2010. (Brienza, Lauren) (Entered: 05/26/2010)
05/26/2010	<u>29</u>	NOTICE OF APPEAL as to <u>26</u> Order on Motion to Dismiss, by Danny Abrahams. Filing fee \$ 455, receipt number 0207-4172795. Appeal Record due by 6/25/2010. (Schonfeld, Robert) (Entered: 05/26/2010)
05/27/2010		Electronic Index to Record on Appeal sent to US Court of Appeals. For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. <u>28</u> Clerk's Judgment, <u>20</u> Show Cause Hearing, <u>19</u> Memorandum in Support, <u>14</u> Order of Recusal, <u>26</u> Order on Motion to Dismiss, <u>12</u> Letter, <u>17</u> Affidavit in Support of Motion, <u>24</u> Reply in Support, <u>8</u> Affidavit in Support,,, <u>27</u> Order, <u>7</u> Order to Show Cause, Temporary Restraining Order,,,, <u>9</u> Notice of Related Case, <u>22</u> Memorandum in Support, <u>18</u> Affidavit in Support of Motion, <u>6</u> Show Cause Hearing, Set Hearings, <u>16</u> Motion to Dismiss, <u>10</u> Letter, <u>21</u> Affidavit, <u>5</u> Affidavit, <u>3</u> Memorandum in Support, <u>4</u> Amended Complaint, <u>23</u> Affidavit of Service, <u>11</u> Notice of Appearance, <u>15</u> Motion for Reconsideration, <u>2</u> Unsigned Order to Show Cause, <u>1</u> Complaint, <u>25</u> Affidavit in Support of Motion, <u>13</u> Show Cause Hearing, <u>29</u> Notice of Appeal (Romano, Daniel) (Entered: 05/27/2010)
05/27/2010	<u>31</u>	MANDATE of USCA as to <u>29</u> Notice of Appeal filed by Danny Abrahams denying the motion for a temporary restraining motion. (the appeal is still pending as to the dismissal of the complaint.) USCA no.10-2058 (Romano, Daniel) (Entered: 05/28/2010)
05/28/2010	<u>30</u>	Letter by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum (Schonfeld, Robert) (Entered: 05/28/2010)
06/18/2010	<u>32</u>	Letter by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal (Schonfeld, Robert) (Entered: 06/18/2010)
06/18/2010	<u>33</u>	MOTION to Vacate <i>Previous Order</i> by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum. (Schonfeld, Robert) (Entered: 06/18/2010)
06/18/2010	<u>34</u>	MEMORANDUM in Support re <u>33</u> MOTION to Vacate <i>Previous Order</i> filed by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum. (Schonfeld, Robert) (Entered: 06/18/2010)
06/18/2010	<u>35</u>	AFFIDAVIT of Service for Notice of Motion, Memorandum of Law served on Martin B. Schnabel on 5/28/10, filed by Danny Abrahams, Anthony Celardo, Kevin Christman, Lauren Epstein, Meryl Jackelow, Evan Skidmore, David Tindal, Lee Wolbrum. (Schonfeld, Robert) (Entered: 06/18/2010)
03/21/2011	<u>36</u>	ORDER denying <u>33</u> Motion to Vacate. By filing a notice of appeal, Plaintiffs divested this Court of jurisdiction to grant a motion to modify or vacate a judgment

		without consent of the Second Circuit. As there is no indication that consent has been granted, Plaintiff's motion is denied without prejudice. SO ORDERED. Ordered by Judge Sandra J. Feuerstein on 3/21/2011. (Brienza, Lauren) (Entered: 03/22/2011)
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