

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:12-cv-09162-KBF**

Toney-Dick v. Doar et al
Assigned to: Judge Katherine B. Forrest
Related Case: 1:05-cv-06920-KBF
Cause: 42:12131 Americans with Disabilities Act of 1990

Date Filed: 12/17/2012
Date Terminated: 12/28/2015
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

Alechea Toney-Dick
*on behalf of herself and all others
similarly situated*

represented by **Randy M. Mastro**
Gibson, Dunn & Crutcher, LLP (NY)
200 Park Avenue, 48th Floor
New York, NY 10166
212-351-5391
Fax: 212-351-5328
Email: rmastro@gibsondunn.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Louise Demana
Gibson, Dunn & Crutcher, LLP (NY)
200 Park Avenue, 48th Floor
New York, NY 10166
(212)-351-2636
Fax: (212)-716-0836
Email: cdemana@gibsondunn.com
ATTORNEY TO BE NOTICED

Goutam Umesh Jois
Gibson, Dunn & Crutcher, LLP (NY)
200 Park Avenue, 48th Floor
New York, NY 10166
(212)-351-4000
Fax: (212) 351-4035
Email: gjois@gibsondunn.com
ATTORNEY TO BE NOTICED

John Peter Gasior
Office of the Attorney General, New York
State
120 Broadway
24th Floor
New York, NY 10271
212-416-8570
Fax: 212-416-6077
Email: john.gasior@ag.ny.gov
ATTORNEY TO BE NOTICED

Justin Solomon Nematzadeh
Robbins Geller Rudman & Dowd LLP
58 South Services Road, Suite 200
Melville, NY 11747
631-367-7100
Fax: 631-367-1173
Email: jnematzadeh@rgrdlaw.com
TERMINATED: 12/01/2014

Kenneth Richard Stephens
The Legal Aid Society (Civil Div. NYC)

199 Water Street
3rd Floor
New York, NY 10038
212-440-4257
Fax: 212-509-8761
Email: KStephens@legal-aid.org
ATTORNEY TO BE NOTICED

Seth Rokosky
Gibson, Dunn & Crutcher, LLP (NY)
200 Park Avenue
New York, NY 10166
(212)-351-4089
Email: Seth.Rokosky@ag.ny.gov
ATTORNEY TO BE NOTICED

Sumani Vani Lanka
Legal Aid Society
199 Water Street, 3rd Floor
New York, NY 10038
212-577-3314
Fax: 212-616-9468
Email: svlanka@legal-aid.org
ATTORNEY TO BE NOTICED

Susan R. Sternberg
The Legal Aid Society
199 Water Street
New York, NY 10038
(212)-577-3263
Fax: (646)-616-4762
Email: srsternberg@legal-aid.org
ATTORNEY TO BE NOTICED

Plaintiff

X.T.

represented by **Randy M. Mastro**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Louise Demana
(See above for address)
ATTORNEY TO BE NOTICED

Goutam Umesh Jois
(See above for address)
ATTORNEY TO BE NOTICED

Justin Solomon Nematzadeh
(See above for address)
TERMINATED: 12/01/2014

Kenneth Richard Stephens
(See above for address)
ATTORNEY TO BE NOTICED

Seth Rokosky
(See above for address)
ATTORNEY TO BE NOTICED

Sumani Vani Lanka
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Sherry Hanan
*individually and on behalf of all others
similarly situated*

represented by **Randy M. Mastro**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Louise Demana
(See above for address)
ATTORNEY TO BE NOTICED

Goutam Umesh Jois
(See above for address)
ATTORNEY TO BE NOTICED

John Peter Gasior
(See above for address)
ATTORNEY TO BE NOTICED

Justin Solomon Nematzadeh
(See above for address)
TERMINATED: 12/01/2014

Kenneth Richard Stephens
(See above for address)
ATTORNEY TO BE NOTICED

Seth Rokosky
(See above for address)
ATTORNEY TO BE NOTICED

Sumani Vani Lanka
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Renee Moore

represented by **Randy M. Mastro**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Louise Demana
(See above for address)
ATTORNEY TO BE NOTICED

Goutam Umesh Jois
(See above for address)
ATTORNEY TO BE NOTICED

John Peter Gasior
(See above for address)
ATTORNEY TO BE NOTICED

Justin Solomon Nematzadeh
(See above for address)
TERMINATED: 12/01/2014

Kenneth Richard Stephens
(See above for address)
ATTORNEY TO BE NOTICED

Seth Rokosky
(See above for address)
ATTORNEY TO BE NOTICED

Sumani Vani Lanka
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Commissioner Robert Doar
*in his official capacity as Commissioner
of the New York City Human Resources
Administration*
TERMINATED: 07/07/2015

represented by **Emily Sweet**
NYC Law Department, Office of the
Corporation Counsel (NYC)
100 Church Street
New York, NY 10007
(212) 788-1171
Fax: (212) 788-8877
Email: esweet@law.nyc.gov

John Peter Gasior
(See above for address)

Serena Mabel Longley
NYC Law Department
100 Church Street Rm.
New York, NY 10007
(212) 788-0957
Fax: (212) 788-8877
Email: slongley@law.nyc.gov

Thomas B. Roberts
The City of New York Law Department
100 Church Street
New York, NY 10007
212-356-1000
Fax: 212-788-8877
Email: throbart@law.nyc.gov
ATTORNEY TO BE NOTICED

Defendant

**The New York City Human Rights
Resources Administration**
TERMINATED: 07/07/2015

represented by **Emily Sweet**
(See above for address)

John Peter Gasior
(See above for address)

Serena Mabel Longley
(See above for address)

Thomas B. Roberts
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Kristin Proud
*in her official Capacity as Acting
Commissioner of the New York State
Office of Temporary and Disability
Assistance*

represented by **John Peter Gasior**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Linda Fang
State of New York, Office of the Attorney
General
120 Broadway, 24th Floor
New York, NY 10017
(212) 416-8656

Fax: (212) 416-6009
 Email: linda.fang@ag.ny.gov
 ATTORNEY TO BE NOTICED

Defendant

**The New York State Office of
 Temporary and Disability Assistance**

represented by **John Peter Gasior**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Linda Fang
 (See above for address)
 ATTORNEY TO BE NOTICED

Defendant

Tom Vilsack
*in his official capacity as Secretary of the
 United States department of Agrculture*
 TERMINATED: 11/14/2013

represented by **Tara Marie La Morte**
 U.S. Attorney's Office, SDNY (Chambers
 Street)
 86 Chambers Street
 New York, NY 10007
 (212) 637-2746
 Fax: (212) 637-2730
 Email: tara.lamorte2@usdoj.gov
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

**United States Department of
 Agriculture**
 TERMINATED: 11/14/2013

represented by **Tara Marie La Morte**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/17/2012	<u>1</u>	COMPLAINT against Robert Doar, The New York City Human Rights Resources Administration. (Filing Fee \$ 350.00, Receipt Number 465401055558) Document filed by Alechea Toney-Dick.(msa) (Entered: 12/19/2012)
12/17/2012		SUMMONS ISSUED as to Robert Doar, The New York City Human Rights Resources Administration. (msa) (Entered: 12/19/2012)
12/17/2012		Case Designated ECF. (msa) (Entered: 12/19/2012)
12/17/2012		CASE REFERRED TO Judge Katherine B. Forrest as possibly related to 1:05-cv-6920. (msa) (Entered: 12/19/2012)
12/17/2012	<u>2</u>	STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. (Signed by Judge Loretta A. Preska on 10/31/2011) (msa) Modified on 12/19/2012 (msa). (Entered: 12/19/2012)
12/19/2012	<u>3</u>	DECLARATION of John Buhta in Opposition. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Attachments: # <u>1</u> Exhibit

		A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Buhta, John) Modified on 12/19/2012 (msa). (Entered: 12/19/2012)
12/19/2012	<u>4</u>	DECLARATION of Roy Esnard in Opposition. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Attachments: # <u>1</u> Exhibit A)(Buhta, John) Modified on 12/19/2012 (msa). (Entered: 12/19/2012)
12/20/2012	<u>5</u>	DECLARATION of Roy A. Esnard in Opposition re: <u>4</u> Declaration in Opposition. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Attachments: # <u>1</u> Exhibit Exhibit B, # <u>2</u> Exhibit Exhibit C, # <u>3</u> Exhibit Exhibit D – part 1, # <u>4</u> Exhibit Exhibit D – part 2)(Sweet, Emily) (Entered: 12/20/2012)
12/21/2012		CASE ACCEPTED AS RELATED. Create association to 1:05–cv–06920–KBF. Notice of Assignment to follow. (pgu) (Entered: 12/21/2012)
12/21/2012	<u>6</u>	NOTICE OF CASE ASSIGNMENT to Judge Katherine B. Forrest. Judge Unassigned is no longer assigned to the case. (pgu) (Entered: 12/21/2012)
12/21/2012		Magistrate Judge Andrew J. Peck is so designated. (pgu) (Entered: 12/21/2012)
12/21/2012	<u>7</u>	ORDER: It is hereby ORDERED that no later than January 7, 2013, plaintiffs should file their legal and evidentiary submissions addressing the above issues in connection with the standard for injunctive relief. Defendants shall file any response thereto no later than seven (7) calendar days after plaintiffs make their submission. All filings should be made on ECF per the Federal Rules of Civil Procedure and the Local Rules of Civil Procedure for the Southern District of New York. IT IS FURTHER ORDERED that this action shall be removed from Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York. The Clerk of the Court is ordered to remove this action from the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York. (Signed by Judge Katherine B. Forrest on 12/21/2012) (ago) (Entered: 12/21/2012)
12/21/2012	<u>8</u>	ORDER PERMITTING PLAINTIFF TO PROCEED ANONYMOUSLY: Upon the Amended Complaint, the Attorney's Declaration of Kathleen Kelleher, dated December 20,2012, indicating that the name of the plaintiff whose fictitious name appears in the caption of the First Amended Complaint will be provided to the defendant along with identifying information. IT IS HEREBY ORDERED that the plaintiff X.T. be permitted to proceed anonymously in this action. (Signed by Judge Katherine B. Forrest on 12/21/2012) (ago) (Entered: 12/21/2012)
12/21/2012	<u>9</u>	NOTICE OF APPEARANCE by Emily Sweet on behalf of Robert Doar, The New York City Human Rights Resources Administration (Sweet, Emily) (Entered: 12/21/2012)
12/21/2012	<u>10</u>	FIRST AMENDED COMPLAINT amending <u>1</u> Complaint against Robert Doar, The New York City Human Rights Resources Administration.Document filed by X.T., Sherry Hanan, Renee Moore. Related document: <u>1</u> Complaint filed by Alechea Toney–Dick.(cd) (Entered: 12/27/2012)
01/07/2013	<u>11</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Kenneth Stephens dated 1/7/2013 re: Plaintiffs respectfully request permission, with consent of the defendants, to file a memorandum of law of approximately 30 pages, in support of our combined motion(s) for a preliminary injunction and class certification. The alternative of filing two separate memoranda would, in our estimation, be more cumbersome and less efficient for the parties and the Court. The motion papers will be filed today via ECF as set forth in the Court's Order of December 21, 2012. ENDORSEMENT: Application granted. (Signed by Judge Katherine B. Forrest on 1/7/2013) (rjm) (Entered: 01/07/2013)
01/07/2013		Set/Reset Deadlines: Motions due by 1/7/2013. (rjm) (Entered: 01/07/2013)
01/08/2013	<u>12</u>	NOTICE OF APPEARANCE by Randy M. Mastro on behalf of Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T. (Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>13</u>	NOTICE OF APPEARANCE by Justin Solomon Nematzadeh on behalf of Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T. (Nematzadeh, Justin) (Entered: 01/08/2013)

		01/08/2013)
01/08/2013	<u>14</u>	MOTION for Preliminary Injunction., MOTION to Certify Class. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Text of Proposed Order)(Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>15</u>	MEMORANDUM OF LAW in Support re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>16</u>	DECLARATION of Kenneth Stephens in Support re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (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, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>17</u>	DECLARATION of Renee Moore in Support re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>18</u>	DECLARATION of Sherry Hanan in Support re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>19</u>	DECLARATION of Susan Dooha in Support re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>20</u>	DECLARATION of Ryan P. Gelman in Support re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>21</u>	DECLARATION of XT in Support re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>22</u>	DECLARATION of Catherine F. Bowman in Support re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>23</u>	DECLARATION of Joel S. Berg in Support re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Mastro, Randy) (Entered: 01/08/2013)
01/08/2013	<u>24</u>	NOTICE OF APPEARANCE by Susan R. Sternberg on behalf of Alechea Toney–Dick (Sternberg, Susan) (Entered: 01/08/2013)
01/09/2013	<u>25</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Emily Sweet dated 1/8/2013 re: The parties jointly request the following briefing schedule for Plaintiffs' motions for a preliminary injunction and class certification, and Defendants' motion to dismiss: January 8, 2013: Plaintiffs' motion for a preliminary injunction. January 16, 2013: Defendants' opposition to Plaintiffs' motions for a preliminary injunction and class certification, Defendants' motion to dismiss. January 30, 2013: Plaintiffs' opposition to Defendants' motion to dismiss, Plaintiffs' reply in further support of their motions for a preliminary injunction and class certification. February 6, 2013 Defendants' reply in further support of their motion for a preliminary injunction. ENDORSEMENT: Time frames as set forth herein accepted. (Motions due by 1/16/2013. Responses due by 1/30/2013, Replies due by 2/6/2013.)(Signed by Judge Katherine B. Forrest on 1/9/2013) (djc) (Entered: 01/09/2013)
01/11/2013	<u>26</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Kenneth Stephens dated 1/9/2013 re: Plaintiffs are submitting this letter just to alert the Court of a filing of a state court case, Matter of Fiddler v. Doar (Sup. Ct. Kings County, Index No. 450/2013), brought under a special state court procedure, Article 78 of the Civil Practice Law and Rules. ENDORSEMENT: Ordered. The Clerk shall post this letter on the docket. (Signed by Judge Katherine B. Forrest on 1/10/2013) (rjm) (Entered: 01/11/2013)

		01/11/2013)
01/16/2013	<u>27</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Emily Sweet dated 1/15/2013 re: Counsel requests: (1) a modification of the briefing schedule jointly requested by the parties and approved by the Court last week in order to provide Defendant an extra day to complete motion and opposition papers presently due tomorrow; and (2) that Defendants be granted leave to submit a 35–page brief. Plaintiffs' counsel has kindly consented to these requests. Defendants respectfully request that all remaining deadlines be moved by one day, resulting in the following modified schedule: January 17, 2013: Defendants' opposition to Plaintiffs' motions for a preliminary injunction and class certification. Defendants' motion to dismiss. January 31, 2013: Plaintiffs' opposition to Defendants' motion to dismiss. Plaintiffs' reply in further support of their motions for a preliminary injunction and class certification. February 7, 2013: Defendants' reply in further support of their motion to dismiss. Additionally, Defendants request that they be granted leave to submit a single 35 page brief in support of their motion to dismiss and in opposition to Plaintiffs' motions for a preliminary injunction and class certification. ENDORSEMENT: Ordered: Applications regarding schedule and page length granted. (Motions due by 1/17/2013, Responses due by 1/31/2013, Replies due by 2/7/2013.) (Signed by Judge Katherine B. Forrest on 1/16/2013) (ft) (Entered: 01/16/2013)
01/17/2013	<u>28</u>	FIRST MOTION to Dismiss <i>First Amended Complaint</i> . Document filed by Robert Doar, The New York City Human Rights Resources Administration. Responses due by 1/31/2013 Return Date set for 2/7/2013 at 11:59 PM.(Sweet, Emily) (Entered: 01/17/2013)
01/17/2013	<u>29</u>	DECLARATION of Roy A. Esnard in Opposition re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class.. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Sweet, Emily) (Entered: 01/17/2013)
01/17/2013	<u>30</u>	MEMORANDUM OF LAW in Opposition re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class. <i>and In Support of Defendants' Cross–Motion to Dismiss the First Amended Complaint</i> . Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Sweet, Emily) (Entered: 01/17/2013)
01/30/2013	<u>31</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Kenneth Stephens dated 1/30/2013 re: Plaintiffs are respectfully requesting, with consent of counsel for the defendants, permission to file a brief not to exceed 36 pages in opposition to defendants' cross–motion to dismiss plaintiffs' first amended class action complaint and in further support of plaintiffs' motions for a preliminary injunction and class certification. ENDORSEMENT: Ordered: Application granted. (Signed by Judge Katherine B. Forrest on 1/30/2013) (ft) (Entered: 01/30/2013)
01/31/2013	<u>32</u>	MEMORANDUM OF LAW in Opposition re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class., <u>28</u> FIRST MOTION to Dismiss <i>First Amended Complaint</i> . <i>PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' CROSS–MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED CLASS ACTION COMPLAINT AND IN FURTHER SUPPORT OF PLAINTIFFS' MOTIONS FOR A PRELIMINARY INJUNCTION AND CLASS CERTIFICATION</i> . Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 01/31/2013)
01/31/2013	<u>33</u>	DECLARATION of Kenneth Stephens in Opposition re: <u>14</u> MOTION for Preliminary Injunction. MOTION to Certify Class., <u>28</u> FIRST MOTION to Dismiss <i>First Amended Complaint</i> .. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Exhibit 1)(Mastro, Randy) (Entered: 01/31/2013)
02/07/2013	<u>34</u>	DECLARATION of Daniel J. Krombach in Support re: <u>28</u> FIRST MOTION to Dismiss <i>First Amended Complaint</i> .. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Sweet, Emily) (Entered: 02/07/2013)
02/07/2013	<u>35</u>	REPLY MEMORANDUM OF LAW in Support re: <u>28</u> FIRST MOTION to Dismiss <i>First Amended Complaint</i> .. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Sweet, Emily) (Entered: 02/07/2013)

03/05/2013	<u>36</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Sumani V. Lanka dated 3/1/2013 re: Plaintiff's counsel writes plaintiffs respectfully submit this letter seeking an order compelling defendants to produce documents in response to Plaintiffs' Document Request and designate a witness in response to Plaintiffs' Deposition Notice, and provide such other relief as the Court deems just and proper. ENDORSEMENT: Ordered. The court expects to issue a decision on the motion to dismiss in the relatively near future. That decision is expected to dismiss the case with leave to replead. If, once that decision issues and the parties have reviewed it, this discovery dispute remains live, the Court will resolve it. Note: The Court is not staying discovery at this time. (Signed by Judge Katherine B. Forrest on 3/4/2013) (ago) (Entered: 03/05/2013)
03/05/2013	<u>37</u>	Letter addressed to Judge Katherine B. Forrest from Emily Sweet dated 3/1/2013 re: Defense counsel writes Defendants respectfully submit that their pending motion to dismiss has "substantial grounds," as it demonstrates, among other things that plaintiffs have failed to join necessary parties, that three of the four named plaintiffs' claims are moot, and the fourth plaintiff fails to state a claim. Moreover, defendants' motion, if granted, would entirely dispose of this action. Defendants are prepared to begin producing the documents described in their February 20 email next week and to continue to do so thereafter on a rolling basis pending resolution of the pending motion to dismiss. Additionally, defendants are prepared to move forward expeditiously with formal discovery in the event that their motion to dismiss is denied. Given this, there is no reason to believe that plaintiffs will be prejudiced by holding discovery in abeyance. We note that in order to satisfy the 30(b)(6) notice, HRA would most likely have to identify, prepare and produce multiple witnesses for deposition. It is respectfully submitted that it does not make sense to move forward at this time with formal discovery, including what could be multiple depositions, all in a case that might ultimately be dismissed, without the need for any discovery. Accordingly, for all the above reasons, defendants respectfully request that this Court stay discovery pending resolution of their motion to dismiss and deny plaintiffs' request for an order compelling discovery. Document filed by The New York City Human Rights Resources Administration.(ago) (Entered: 03/05/2013)
03/18/2013	<u>38</u>	MEMORANDUM DECISION & ORDER: granting in part and denying in part <u>28</u> Motion to Dismiss; denying <u>14</u> Motion for Preliminary Injunction; denying <u>14</u> Motion to Certify Class. For the reasons stated above, defendants' motion to dismiss is GRANTED IN PART, and plaintiffs' Complaint is dismissed without prejudice to the filing of a second amended complaint. Without an operative complaint, plaintiffs' motion for preliminary injunctive relief and class certification is DENIED, without prejudice, as moot. Plaintiffs are hereby ORDERED to file their second amended complaint, with—or without—any application for preliminary injunctive relief, on ECF not later than Friday, March 29, 2013. The Court emphasizes that although plaintiffs' motion for preliminary injunctive relief is denied and their Complaint dismissed, plaintiffs have not lost this case. Indeed—and putting aside the technical litigation aspects of this case—it is clear that the D-SNAP applied for by the State, authorized by USDA, and administered by the City did not reach as many of its intended beneficiaries as it could have. Whether as a matter of law the program was unlawfully discriminatory and/or whether alternative reasonable accommodations existed—taking into account the various and extreme exigencies facing the City authorities in the wake of Hurricane Sandy—is a question left for another day. The Clerk of the Court is directed to terminate the motions at ECF Nos. 14 and 28. SO ORDERED.(Signed by Judge Katherine B. Forrest on 3/18/2013) (ama) (Entered: 03/18/2013)
03/29/2013	<u>41</u>	SECOND AMENDED CLASS ACTION COMPLAINT amending 10 Amended Complaint against Robert Doar, The New York City Human Rights Resources Administration, Kristin Proud, The New York State Office of Temporary and Disability Assistance, Tom Vilsack, United States Department of Agriculture.Document filed by Alechea Toney-Dick, Renee Moore, X.T., Sherry Hanan. Related document: 10 Amended Complaint filed by Sherry Hanan, Renee Moore, X.T. (js) (Entered: 04/03/2013)
04/02/2013	<u>39</u>	ORDER: On March 18, 2013, the Court denied plaintiffs' request for preliminary injunctive relief in this matter, dismissed plaintiffs' First Amended Complaint, and ordered plaintiffs to file their Second Amended Complaint not later than March 29, 2013 (ECF No. 38). That date has come and gone, and plaintiffs have made no filing.

		Plaintiffs are thus hereby directed to inform the Court not later than Wednesday, April 3, 2013, at 5:00 p.m. whether they intend to continue to prosecute this action. Otherwise it will be terminated. (Signed by Judge Katherine B. Forrest on 4/2/2013) (mt) (Entered: 04/02/2013)
04/03/2013	<u>40</u>	ORDER: The Court shall hold a status conference on Wednesday, April 17, 2013, at 11:00 a.m. All parties shall attend. (Status Conference set for 4/17/2013 at 11:00 AM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 4/3/2013) (ago) (Entered: 04/03/2013)
04/11/2013	<u>42</u>	NOTICE OF APPEARANCE by John Peter Gasior on behalf of Kristin Proud, The New York State Office of Temporary and Disability Assistance (Gasior, John) (Entered: 04/11/2013)
04/17/2013		Minute Entry for proceedings held before Judge Katherine B. Forrest: Status Conference held on 4/17/2013. (jp) (Entered: 04/17/2013)
04/17/2013	<u>43</u>	CERTIFICATE OF SERVICE of Summons and Amended Complaint,. Robert Doar served on 4/5/2013, answer due 4/26/2013; Kristin Proud served on 4/5/2013, answer due 4/26/2013; The New York City Human Rights Resources Administration served on 4/5/2013, answer due 4/26/2013; The New York State Office of Temporary and Disability Assistance served on 4/5/2013, answer due 4/26/2013; United States Department of Agriculture served on 4/5/2013, answer due 4/26/2013; Tom Vilsack served on 4/5/2013, answer due 4/26/2013. Service was accepted by hand, various. Service was made by Mail. Document filed by Sherry Hanan; Alechea Toney-Dick; Renee Moore; X.T.. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Certificate of Service, # <u>3</u> Certificate of Service, # <u>4</u> Certificate of Service, # <u>5</u> Certificate of Service, # <u>6</u> Affidavit of Service, # <u>7</u> Affidavit of Service)(Mastro, Randy) (Entered: 04/17/2013)
04/17/2013	<u>44</u>	NOTICE OF APPEARANCE by Tara Marie La Morte on behalf of United States Department of Agriculture, Tom Vilsack (La Morte, Tara) (Entered: 04/17/2013)
04/17/2013	<u>45</u>	SCHEDULING ORDER: The following schedule shall govern the remaining proceedings in this case: Motions due by 5/13/2013. Responses due by 6/12/2013 Replies due by 8/1/2013. Fact Discovery due by 11/14/2013. Expert Discovery due by 12/12/2013. Status Conference set for 8/6/2013 at 01:00 PM before Judge Katherine B. Forrest. Ready for Trial by 1/21/2014. SO ORDERED. (Signed by Judge Katherine B. Forrest on 4/17/2013) (ama) (Entered: 04/17/2013)
05/09/2013	<u>46</u>	NOTICE OF APPEARANCE by Goutam Umesh Jois on behalf of Sherry Hanan, Renee Moore, Alechea Toney-Dick, X.T. (Jois, Goutam) (Entered: 05/09/2013)
05/13/2013	<u>47</u>	MOTION to Certify Class. Document filed by Sherry Hanan, Renee Moore, Alechea Toney-Dick, X.T.. (Attachments: # <u>1</u> Text of Proposed Order)(Lanka, Sumani) (Entered: 05/13/2013)
05/13/2013	<u>48</u>	MEMORANDUM OF LAW in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney-Dick, X.T.. (Lanka, Sumani) (Entered: 05/13/2013)
05/13/2013	<u>49</u>	DECLARATION of Joel S. Berg in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney-Dick, X.T.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Lanka, Sumani) (Entered: 05/13/2013)
05/13/2013	<u>50</u>	DECLARATION of Catherine F. Bowman in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney-Dick, X.T.. (Lanka, Sumani) (Entered: 05/13/2013)
05/13/2013	<u>51</u>	DECLARATION of Susan Dooha in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney-Dick, X.T.. (Lanka, Sumani) (Entered: 05/13/2013)
05/13/2013	<u>52</u>	DECLARATION of Ryan P. Gelman in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney-Dick, X.T.. (Attachments: # <u>1</u> Exhibit A)(Lanka, Sumani) (Entered: 05/13/2013)

05/13/2013	<u>53</u>	DECLARATION of Sherry Hanan in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Lanka, Sumani) (Entered: 05/13/2013)
05/13/2013	<u>54</u>	DECLARATION of Renee Moore in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Lanka, Sumani) (Entered: 05/13/2013)
05/13/2013	<u>55</u>	DECLARATION of Kenneth Stephens in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (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, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Lanka, Sumani) (Entered: 05/13/2013)
05/13/2013	<u>56</u>	DECLARATION of Alechea Toney–Dick in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Lanka, Sumani) (Entered: 05/13/2013)
05/13/2013	<u>57</u>	DECLARATION of X.T. in Support re: <u>47</u> MOTION to Certify Class.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Lanka, Sumani) (Entered: 05/13/2013)
05/16/2013	<u>58</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 4/17/2013 before Judge Katherine B. Forrest. Court Reporter/Transcriber: Linda Fisher, (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 6/10/2013. Redacted Transcript Deadline set for 6/20/2013. Release of Transcript Restriction set for 8/19/2013.(Rodriguez, Somari) (Entered: 05/16/2013)
05/16/2013	<u>59</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 4/17/13 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...(Rodriguez, Somari) (Entered: 05/16/2013)
05/22/2013	<u>60</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 4/17/2013 before Judge Katherine B. Forrest. Court Reporter/Transcriber: Linda Fisher, (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 6/17/2013. Redacted Transcript Deadline set for 6/27/2013. Release of Transcript Restriction set for 8/23/2013.(McGuirk, Kelly) (Entered: 05/22/2013)
05/22/2013	<u>61</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 4/17/13 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: 05/22/2013)
06/12/2013	<u>62</u>	MEMORANDUM OF LAW in Opposition re: <u>47</u> MOTION to Certify Class.. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. (Attachments: # <u>1</u> Affidavit Declaration of John Gasior, # <u>2</u> Affidavit Declaration of Thomas Hedderman)(Gasior, John) (Entered: 06/12/2013)
06/12/2013	<u>63</u>	MEMORANDUM OF LAW in Opposition re: <u>47</u> MOTION to Certify Class.. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Longley, Serena) (Entered: 06/12/2013)
06/12/2013	<u>64</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION to Dismiss for Lack of Jurisdiction. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. Responses due by 7/9/2013 (Attachments: # <u>1</u> Memorandum of Law to Dismiss, # <u>2</u> Declaration of John Gasior, # <u>3</u> Declaration of Thomas Hedderman)(Gasior, John) Modified on 6/13/2013 (db). (Entered: 06/12/2013)

		06/12/2013)
06/12/2013	<u>65</u>	ANSWER to <u>41</u> Amended Complaint,. Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Sweet, Emily) (Entered: 06/12/2013)
06/12/2013	<u>66</u>	NOTICE OF APPEARANCE by Serena Mabel Longley on behalf of Robert Doar, The New York City Human Rights Resources Administration (Longley, Serena) (Entered: 06/12/2013)
06/12/2013	<u>67</u>	MOTION to Dismiss <i>Second Amended Complaint</i> . Document filed by United States Department of Agriculture, Tom Vilsack. Responses due by 7/19/2013(La Morte, Tara) (Entered: 06/12/2013)
06/12/2013	<u>68</u>	MEMORANDUM OF LAW in Support re: <u>67</u> MOTION to Dismiss <i>Second Amended Complaint</i> .. Document filed by United States Department of Agriculture, Tom Vilsack. (La Morte, Tara) (Entered: 06/12/2013)
06/12/2013	<u>69</u>	DECLARATION of Jessica Shahin in Support re: <u>67</u> MOTION to Dismiss <i>Second Amended Complaint</i> .. Document filed by United States Department of Agriculture, Tom Vilsack. (Attachments: # <u>1</u> Exhibit A)(La Morte, Tara) (Entered: 06/12/2013)
06/13/2013		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney John Peter Gasior to RE-FILE Document <u>64</u> MOTION to Dismiss for Lack of Jurisdiction. ERROR(S): Supporting Documents are filed separately, each receiving their own document #. (db) (Entered: 06/13/2013)
06/13/2013	<u>70</u>	MOTION to Dismiss for Lack of Jurisdiction. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. Responses due by 7/9/2013(Gasior, John) (Entered: 06/13/2013)
06/13/2013	<u>71</u>	MEMORANDUM OF LAW in Support re: <u>70</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. (Gasior, John) (Entered: 06/13/2013)
06/13/2013	<u>72</u>	DECLARATION of John Gasior in Support re: <u>70</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. (Gasior, John) (Entered: 06/13/2013)
06/13/2013	<u>73</u>	DECLARATION of Thomas Hedderman in Support re: <u>70</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. (Gasior, John) (Entered: 06/13/2013)
07/11/2013	<u>74</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Justin Solomon Nematzadeh dated 7/10/13 re: Counsel for the plaintiffs respectfully requests permission, with Defendants' consent already given, to file two separate memoranda of law in opposition to the State and Federal Defendants' motions to dismiss Plaintiffs' Second Amended Complaint and a separate combined reply brief in further support of Plaintiffs' motion for class certification (three memoranda of law in total). ENDORSEMENT: Ordered: Application granted. (Signed by Judge Katherine B. Forrest on 7/11/2013) (mro) (Entered: 07/11/2013)
07/12/2013	<u>75</u>	MOTION for Judgment on the Pleadings. Document filed by Robert Doar, The New York City Human Rights Resources Administration. Responses due by 7/26/2013(Sweet, Emily) (Entered: 07/12/2013)
07/12/2013	<u>76</u>	MEMORANDUM OF LAW in Support re: <u>75</u> MOTION for Judgment on the Pleadings.. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Sweet, Emily) (Entered: 07/12/2013)
07/12/2013	<u>77</u>	DECLARATION of Emily Sweet in Support re: <u>75</u> MOTION for Judgment on the Pleadings.. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Sweet, Emily) (Entered: 07/12/2013)
07/19/2013	<u>78</u>	MEMORANDUM OF LAW in Opposition re: <u>67</u> MOTION to Dismiss <i>Second Amended Complaint</i> . <i>PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO THE FEDERAL DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED COMPLAINT</i> . Document filed by Sherry Hanan, Renee Moore, Alechea

		Toney–Dick, X.T.. (Mastro, Randy) (Entered: 07/19/2013)
07/19/2013	<u>79</u>	MEMORANDUM OF LAW in Opposition re: <u>70</u> MOTION to Dismiss for Lack of Jurisdiction. <i>PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO THE STATE DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED COMPLAINT</i> . Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 07/19/2013)
07/19/2013	<u>80</u>	REPLY MEMORANDUM OF LAW in Support re: <u>47</u> MOTION to Certify Class. <i>PLAINTIFFS' REPLY MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR CLASS CERTIFICATION</i> . Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Appendix A)(Lanka, Sumani) (Entered: 07/19/2013)
07/19/2013	<u>81</u>	DECLARATION of Sumani Lanka re: <u>80</u> Reply Memorandum of Law in Support of Motion, <u>79</u> Memorandum of Law in Opposition to Motion, <u>78</u> Memorandum of Law in Opposition to Motion., Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (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, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17)(Lanka, Sumani) (Entered: 07/19/2013)
07/25/2013	<u>82</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Justin Solomon Nematzadeh dated 7/23/13 re: Plaintiffs respectfully request that the deadline for their opposition papers be extended from July 26, 2013, to thirty (30) days after your Honor enters orders in connection with (i) Plaintiffs' Motion for Class Certification, (ii) Federal Defendants' Motion to Dismiss, and (iii) State Defendants' Motion to Dismiss. City Defendants consent to this timeline. Correspondingly and with Plaintiffs' consent, City Defendants respectfully request that the deadline for their reply papers be set for fourteen (14) days after Plaintiffs' opposition is filed. ENDORSEMENT: Ordered: Application granted. (Signed by Judge Katherine B. Forrest on 7/24/2013) (mro) (Entered: 07/25/2013)
07/30/2013	<u>83</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated 7/29/13 re: Counsel writes to request an extension of the ten page limit for the Federal Defendants' reply brief. ENDORSEMENT: Ordered: Application granted. (Signed by Judge Katherine B. Forrest on 7/29/2013) (mro) (Entered: 07/30/2013)
07/30/2013		Set/Reset Deadlines: Replies due by 8/1/2013. (mro) (Entered: 07/30/2013)
07/31/2013	<u>84</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated 7/30/13 re: Counsel requests that if the Court wishes to hold an oral argument on the Federal Defendants' motion to dismiss, that it schedule argument on one of the dates listed herein. ENDORSEMENT: Ordered: Conference set for Aug. 6 adjourned to Sept. 5 at 9 am. (Oral Argument set for 9/5/2013 at 09:00 AM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 7/31/2013) (mro) (Entered: 07/31/2013)
07/31/2013	<u>85</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Justin Solomon Nematzadeh dated 7/30/13 re: Counsel writes in response to Ms. LaMorte's letter of earlier today, July 30, 2013. Counsel writes simply to clarify that Plaintiffs take no position on the Federal Defendants' request and are available to proceed on August 6, 2013, as scheduled. ENDORSEMENT: Ordered: Post to docket. (Signed by Judge Katherine B. Forrest on 7/31/2013) (mro) (Entered: 07/31/2013)
08/01/2013	<u>86</u>	FILING ERROR – ELECTRONIC FILING OF NON–ECF DOCUMENT – MOTION for Leave to File Excess Pages to <i>State Defendants' Reply Memorandum of Law</i> . Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. Return Date set for 9/5/2013 at 09:00 AM.(Gasior, John) Modified on 8/1/2013 (db). (Entered: 08/01/2013)
08/01/2013	<u>87</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Josh Gasior dated 8/1/13 re: Counsel writes to request that the Court allow State Defendants to file an 11 page memoranda. Counsel for all other parties consent to this request. ENDORSEMENT: Ordered: Application granted. (Signed by Judge Katherine B. Forrest on 8/1/2013) (mro) (Entered: 08/01/2013)

08/01/2013		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. 86 HAS BEEN REJECTED. Note to Attorney John Peter Gasior : THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING, either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (db) (Entered: 08/01/2013)
08/01/2013	<u>88</u>	REPLY MEMORANDUM OF LAW in Support re: <u>67</u> MOTION to Dismiss <i>Second Amended Complaint</i> .. Document filed by United States Department of Agriculture, Tom Vilsack. (La Morte, Tara) (Entered: 08/01/2013)
08/01/2013	<u>89</u>	REPLY AFFIDAVIT of Tara M. La Morte in Support re: <u>67</u> MOTION to Dismiss <i>Second Amended Complaint</i> .. Document filed by United States Department of Agriculture, Tom Vilsack. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(La Morte, Tara) (Entered: 08/01/2013)
08/01/2013	<u>90</u>	REPLY AFFIDAVIT of James Arena DeRosa in Support re: <u>67</u> MOTION to Dismiss <i>Second Amended Complaint</i> .. Document filed by United States Department of Agriculture, Tom Vilsack. (La Morte, Tara) (Entered: 08/01/2013)
08/01/2013	<u>91</u>	REPLY AFFIDAVIT of David Youngblood in Support re: <u>67</u> MOTION to Dismiss <i>Second Amended Complaint</i> .. Document filed by United States Department of Agriculture, Tom Vilsack. (La Morte, Tara) (Entered: 08/01/2013)
08/01/2013	<u>92</u>	REPLY MEMORANDUM OF LAW in Support re: <u>70</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. (Gasior, John) (Entered: 08/01/2013)
08/01/2013	<u>93</u>	DECLARATION of Thomas J. Hedderman in Support re: <u>70</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. (Gasior, John) (Entered: 08/01/2013)
08/28/2013	<u>94</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Justin Solomon Nematzadeh dated 8/26/13 re: The parties respectfully request clarification from the Court as to whether they should be prepared to present oral argument on any or all of these motions during our status conference scheduled for 9 A.M. on Thursday, September 5, 2013, and, if so, if there are specific issues that the parties should address. ENDORSEMENT: Ordered: Post to docket. (Signed by Judge Katherine B. Forrest on 8/28/2013) (mro) (Entered: 08/28/2013)
08/28/2013	<u>95</u>	ORDER: On September 5, 2013, an oral argument on the pending motions in the above-captioned case is scheduled to occur. On August 27, 2013, Plaintiffs submitted a letter on behalf of all parties requesting information regarding which motions the Court intends on addressing at the upcoming oral argument. The parties need not be prepared to address the Motion for Class Certification or the Motion to Dismiss submitted by the State Defendants. However, the Court may request argument on the Motion to Dismiss submitted by the USDA. Specifically, the parties should be prepared to address the issue of whether the USDA is amenable to suit in this matter. (Signed by Judge Katherine B. Forrest on 8/28/2013) (mro) (Entered: 08/28/2013)
08/28/2013	<u>96</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Serena Longley dated 8/28/2013 re: Counsel write to request an extension of time, from 8/30/2013 at 8:30 p.m. until 9/4/2013 at 9:00 a.m., to respond to plaintiffs' letter to the Court submitted at 8:31 p.m. on 8/27/2013. ENDORSEMENT: Ordered. Application granted. (Signed by Judge Katherine B. Forrest on 8/28/2013) (tro) (Entered: 08/28/2013)
08/29/2013	<u>97</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated 8/29/13 re: Counsel writes respectfully, with consent from Plaintiffs, to request an extension of time, from August 30, 2013, at 8:30 p.m. until September 4, 2013, at 9:00 a.m., to respond to Plaintiffs' letter to the Court submitted at 8:31 p.m. on August 27, 2013. ENDORSEMENT: Ordered: Application granted. (Signed by Judge Katherine B. Forrest on 8/29/2013) (mro) (Entered: 08/29/2013)
08/30/2013	<u>98</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Justin Solomon Nematzadeh dated 8/27/2013 re: Counsel for Plaintiffs write to raise an important discovery issue in advance of the parties' 9/5/2013, status conference with the Court. ENDORSEMENT: Ordered. Post to docket. (Signed by Judge Katherine B. Forrest on

		8/30/2013) (tro) (Entered: 08/30/2013)
09/03/2013	<u>99</u>	ORDER: Accordingly, it is to these issues that the Court wishes to direct the parties' attention. FIRST, the parties are directed to be prepared to discuss the tenability of an implied cause of action against a federal funding agency when the agency itself is accused of engaging in discriminatory conduct. SECOND, the parties are directed to be prepared to discuss the following: The precise role of the USDA, in relation to the City and State Defendants, in designing and approving the annual D-SNAP Plan. The precise role of the USDA, in relation to the City and State Defendants, in designing, approving, and implementing the D-SNAP Program effectuated in the wake of Hurricane Sandy. The extent to which the USDA was aware of the allegedly discriminatory components of the Hurricane Sandy D-SNAP Program, and what action, if any, the USDA took in response. The relationship between the annual D-SNAP Plan and a D-SNAP program that is implemented following a natural or manmade disaster, both generally and with respect to the Hurricane Sandy D-SNAP Program. THIRD, as a separate but related issue, the parties are directed to be prepared to address whether – notwithstanding the Court's prior Order – the Court could afford complete relief to the Plaintiffs without the USDA as a named defendant in this action. SO ORDERED. (Signed by Judge Katherine B. Forrest on 9/03/2013) (ama) (Entered: 09/03/2013)
09/04/2013	<u>100</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated 8/30/2013 re: Counsel requests that the status conference scheduled for 9/5/2013, be rescheduled for 9/4/2013, or anytime the week of 9/9/2013. ENDORSEMENT: Ordered. Post to docket. (Signed by Judge Katherine B. Forrest on 9/4/2013) (tro) (Entered: 09/04/2013)
09/05/2013	<u>101</u>	ORDER: The Oral Argument previously scheduled for September 5, 2013 is hereby adjourned to September 20, 2013 at 10:00 A.M. (Oral Argument set for 9/20/2013 at 10:00 AM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 9/4/2013) (mro) (Entered: 09/05/2013)
09/05/2013	<u>102</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Goutam Jois dated 9/4/13 re: Plaintiffs respectfully request a telephonic status conference about discovery next week, and oral argument on the Federal Defendants' motion at some future mutually convenient date. ENDORSEMENT: Ordered: Telephonic status conference on 9/11/13 at 8:30 am to discuss discovery issues. (Telephone Conference set for 9/11/2013 at 08:30 AM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 9/4/2013) (mro) (Entered: 09/05/2013)
09/05/2013	<u>103</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from John Gasior dated 9/4/13 re: This letter is written jointly on behalf of the City, State and Federal defendants (collectively "Defendants," unless otherwise noted) in opposition to Plaintiffs' August 27, 2013, letter motion which asks the Court to issue a blanket-order order holding that the deliberative process privilege may not be asserted by Defendants in this matter. ENDORSEMENT: Ordered: Post to docket. (Signed by Judge Katherine B. Forrest on 9/5/2013) (mro) (Entered: 09/05/2013)
09/09/2013	<u>104</u>	ORDER: The phone conference previously scheduled for September 11, 2013 at 8:30 A.M. is hereby adjourned to 9:00 A.M. that day. (Signed by Judge Katherine B. Forrest on 9/9/2013) (mro) (Entered: 09/09/2013)
09/09/2013		Set/Reset Hearings: Telephone Conference set for 9/11/2013 at 09:00 AM before Judge Katherine B. Forrest. (mro) (Entered: 09/09/2013)
09/11/2013	<u>105</u>	ORDER: On September 11, 2013, a telephonic conference was held in the above-referenced case. On or before 5:00 P.M. on September 13, 2013, the parties are ORDERED to jointly submit the names and titles of the three (3) document custodians that have been selected to produce all documents in their possession for which deliberative process is being asserted. No more than two (2) document custodians may come from the same Defendant. On or before October 4, 2013, Defendants shall produce, electronically if possible, all of the documents belonging to the selected document custodians for which deliberative process is being asserted. (Signed by Judge Katherine B. Forrest on 9/11/2013) (mro) (Entered: 09/11/2013)
09/11/2013	<u>106</u>	LETTER addressed to Judge Katherine B. Forrest from Justin Nematzadeh dated 09/11/2013 re: Document Production Status. Document filed by Sherry Hanan, Renee

		Moore, Alechea Toney–Dick, X.T..(Mastro, Randy) (Entered: 09/11/2013)
09/12/2013	<u>107</u>	LETTER addressed to Judge Katherine B. Forrest from Justin Nematzadeh dated 09/12/2013 re: Privilege Review. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T..(Mastro, Randy) (Entered: 09/12/2013)
09/16/2013	<u>108</u>	MEMORANDUM DECISION & ORDER granting <u>47</u> Motion to Certify Class. The Court hereby GRANTS Plaintiffs' request for class certification, except that it divides the proposed class into two subclasses and strikes subsection (d) from the proposed class definition. One subclass shall consist of disabled individuals who were eligible to apply for benefits from the Sandy D–SNAP Program. The other subclass shall consist of individuals who may be eligible to apply for benefits from a future D–SNAP program and who will need reasonable accommodations because of a disability (or disabilities). The Clerk of Court is hereby directed to terminate Docket No. 47. (Signed by Judge Katherine B. Forrest on 9/13/2013) (mro) (Entered: 09/16/2013)
09/16/2013	<u>109</u>	LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated September 16, 2013 re: Joint Response to Plaintiffs' Discovery Letter dated September 11, 2013. Document filed by United States Department of Agriculture, Tom Vilsack.(La Morte, Tara) (Entered: 09/16/2013)
09/17/2013	<u>110</u>	MEMO ENDORSEMENT on re: <u>109</u> Letter, filed by Tom Vilsack, United States Department of Agriculture. ENDORSEMENT: Ordered: 1. The parties shall confer and submit a proposed "quick peek" and "clawback" order for the Court's review. 2. The scheduling issue raised herein shall be discussed at the conference on 9/20/13. (Signed by Judge Katherine B. Forrest on 9/17/2013) (mro) (Entered: 09/17/2013)
09/20/2013		Minute Entry for proceedings held before Judge Katherine B. Forrest: Oral Argument held on 9/20/2013. (jp) (Entered: 09/20/2013)
09/23/2013	<u>111</u>	ORDER denying <u>70</u> Motion to Dismiss for Lack of Jurisdiction; denying <u>75</u> Motion for Judgment on the Pleadings. On September 20, 2013, an Oral Argument in the above–referenced matter was held. As set forth on the record during that Argument, the Court hereby DENIES the State Defendants' Motion to Dismiss (ECF No. 70) and DENIES the City Defendants' Motion for Judgment on the Pleadings (ECF No. 75). Accordingly, the Clerk of Court is directed to terminate both motions. Additionally, the Court hereby sets forth the following Amended Schedule: 1. Document discovery shall close on November 29, 2013 (with good cause, a party may produce truly late–discovery documents up to January 1, 2014); 2. All fact depositions shall be completed by January 27, 2014; 3. Expert discovery shall close on February 24, 2014; 4. All pretrial materials are due March 3, 2014; 5. A final pretrial conference shall occur on March 6, 2014 at 1:00 P.M.; 6. Trial shall commence on March 10, 2014. The parties are hereby ORDERED to notify the Court within three days of the date of this Order should they have any proposed changes to this schedule. A status conference will be held on November 20, 2013 at 1:30 P.M. The Clerk of Court is directed to close the motions at ECF Nos. 70 and 75. (Signed by Judge Katherine B. Forrest on 9/23/2013) (lmb) (Entered: 09/23/2013)
09/23/2013		Set/Reset Deadlines: (Deposition due by 1/27/2014., Discovery due by 1/1/2014., Expert Discovery due by 2/24/2014.), Set/Reset Hearings:(Final Pretrial Conference set for 3/6/2014 at 01:00 PM before Judge Katherine B. Forrest., Status Conference set for 11/20/2013 at 01:30 PM before Judge Katherine B. Forrest.) (lmb) (Entered: 09/23/2013)
09/26/2013	<u>112</u>	LETTER addressed to Judge Katherine B. Forrest from AAG John Gasior dated September 26, 2013 re: Instruction to notify Court of proposed changes to discovery schedule. Document filed by Robert Doar, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, United States Department of Agriculture, Tom Vilsack.(Gasior, John) (Entered: 09/26/2013)
09/27/2013	<u>113</u>	LETTER addressed to Judge Katherine B. Forrest from Justin Nematzadeh dated September 27, 2013 re: Letter for Leave to Seek Permission to Supplement Record. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Letter Seeking Permission to Supplement Record, # <u>2</u> Exhibit A through J)(Nematzadeh, Justin) (Entered: 09/27/2013)

09/29/2013	<u>114</u>	LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated September 29, 2013 re: Federal Defendants' Response to Plaintiffs' Request to Supplement the Record Concerning the Federal Defendants' Motion to Dismiss. Document filed by United States Department of Agriculture, Tom Vilsack.(La Morte, Tara) (Entered: 09/29/2013)
09/30/2013	<u>115</u>	MEMO ENDORSEMENT on re: <u>114</u> Letter, filed by Tom Vilsack, United States Department of Agriculture. ENDORSEMENT: Ordered: The Federal Government defendant may respond to the additional documents by 10/7/13 (assuming no Gov'tl shutdown. If there is a shutdown, provide a letter as soon as reasonably practicable). (Signed by Judge Katherine B. Forrest on 9/30/2013) (mro) (Entered: 09/30/2013)
09/30/2013	<u>116</u>	MEMO ENDORSEMENT on re: <u>113</u> Letter, filed by Sherry Hanan, Renee Moore, X.T., Alechea Toney–Dick. ENDORSEMENT: Ordered: Application granted. (Signed by Judge Katherine B. Forrest on 9/30/2013) (mro) (Entered: 09/30/2013)
09/30/2013	<u>117</u>	LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated September 30, 2013 re: Proposed Clawback Order. Document filed by United States Department of Agriculture, Tom Vilsack. (Attachments: # <u>1</u> Text of Proposed Order Proposed Clawback Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(La Morte, Tara) (Entered: 09/30/2013)
09/30/2013	<u>118</u>	LETTER addressed to Judge Katherine B. Forrest from Justin Nematzadeh dated September 30, 2013 re: Proposed Clawback Order. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Exhibit A)(Nematzadeh, Justin) (Entered: 09/30/2013)
09/30/2013	<u>119</u>	ORDER PURSUANT TO FED. R. EVID. 502(D) & INHERENT AUTHORITY: IT IS HEREBY ORDERED that pursuant to Fed. R. Evid. 502(d) and the Court's inherent authority: Any party's production in this proceeding of any documents or other information protected by the attorney–client privilege, attorney work product protection or any other privilege or protection recognized by law as well as any non–party personally identifying information (collectively, "Protected Material") shall not constitute a waiver of any privilege or protection applicable to that information in this or any other federal or state proceeding. A party that produces Protected Material (the "Producing Party") may demand that any party receiving Protected Material (the "Receiving Party") return or destroy the Protected Material (the "Clawback Demand"). Such demand shall be made promptly after the Producing Party discovers that the Protected Material was produced and shall state with particularity, in a privilege log that complies with Federal Rule of Civil Procedure 26(b)(5) and Local Civil Rule 26.2, the Protected Material to be returned or destroyed. If the documents subject to the Clawback Demand contain Protected Material only in part, the Producing Party shall, as soon as is practicable and no later than five (5) business days of the Clawback Demand, produce redacted versions of the documents subject to the Clawback Demand. Upon receiving a Clawback Demand, the Receiving Party shall return the information or documents to the Producing Party within five (5) business days, regardless of whether the Receiving Party agrees with the assertion of privilege and/or work product protection; as further set forth herein. (Signed by Judge Katherine B. Forrest on 9/30/2013) (mro) (Entered: 10/01/2013)
10/01/2013	<u>120</u>	MEMO ENDORSEMENT on re: <u>118</u> Letter filed by Sherry Hanan, Renee Moore, X.T., Alechea Toney–Dick. ENDORSEMENT: The Court entered the defendants' proposed order as appropriate at this time. If you run into issues with that order, we can revisit the topic. (Signed by Judge Katherine B. Forrest on 10/1/2013) (lmb) (Entered: 10/01/2013)
10/01/2013	<u>128</u>	STANDING ORDER M10–468: Stay of Certain Civil Cases Pending the Restoration of Department of Justice Funding. (Signed by Judge Loretta A. Preska on 10/1/2013) ***Original Standing Order docketed in case no. 1:13–mc–00334–LAP, document no. 2 on 10/1/2013.*** (mro) (Entered: 10/08/2013)
10/03/2013	<u>121</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 9/20/2013 before Judge Katherine B. Forrest. Court Reporter/Transcriber: Carol Ganley, (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 10/28/2013. Redacted Transcript Deadline set for 11/7/2013. Release of Transcript Restriction set

		for 1/4/2014.(Rodriguez, Somari) (Entered: 10/03/2013)
10/03/2013	<u>122</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/20/13 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...(Rodriguez, Somari) (Entered: 10/03/2013)
10/03/2013	<u>123</u>	MEMORANDUM DECISION & ORDER: Based upon the applicable legal standards and the Court's in camera review, the Court hereby ORDERS that counsel for the City Defendants perform a careful, document-by-document re-review of the withheld materials. The Court expects that a substantial number of documents will come off the log and will be produced. Such re-review should occur within the next 30 days. Plaintiffs may renew their motion as to the City Defendants if they deem it appropriate, following that re-review and anticipated subsequent production. The Court notes that the files withheld on the basis of the deliberative process privilege for the two other selected document custodians are shortly to be provided for the Court's in camera review. Should the above guidance require additional review of the documents to be produced prior to in camera production, the Defendants may make such an application and the Court would allow additional time for that to occur. (Signed by Judge Katherine B. Forrest on 10/3/2013) (mro) (Entered: 10/04/2013)
10/04/2013	<u>124</u>	LETTER MOTION for Extension of Time to File <i>declaration and documents related to assertion of the deliberative process privilege</i> addressed to Judge Katherine B. Forrest from AAG John Gasior dated October 4, 2013. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance.(Gasior, John) (Entered: 10/04/2013)
10/04/2013	<u>125</u>	LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated October 4, 2013 re: Government Shutdown. Document filed by United States Department of Agriculture, Tom Vilsack.(La Morte, Tara) (Entered: 10/04/2013)
10/04/2013	<u>126</u>	MEMO ENDORSEMENT on re: <u>125</u> Letter filed by Tom Vilsack, United States Department of Agriculture. ENDORSEMENT: Ordered: This case is stayed as to the federal defendant only. (Signed by Judge Katherine B. Forrest on 10/4/2013) (mro) (Entered: 10/07/2013)
10/04/2013	<u>127</u>	ORDER granting <u>124</u> Letter Motion for Extension of Time to File. Ordered: The Court is not staying the action except as to the Federal defendant. One week extension granted. (Signed by Judge Katherine B. Forrest on 10/4/2013) (mro) (Entered: 10/07/2013)
10/08/2013	<u>129</u>	LETTER MOTION for Extension of Time to File Answer addressed to Judge Katherine B. Forrest from John Gasior dated October 8, 2013. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance.(Gasior, John) (Entered: 10/08/2013)
10/09/2013	<u>130</u>	ORDER granting <u>129</u> Letter Motion for Extension of Time to Answer . ENDORSEMENT: Ordered: Application granted. Kristin Proud answer due 10/15/2013; The New York State Office of Temporary and Disability Assistance answer due 10/15/2013. (Signed by Judge Katherine B. Forrest on 10/9/2013) (mro) Modified on 10/9/2013 (mro). (Entered: 10/09/2013)
10/15/2013	<u>131</u>	ANSWER to <u>41</u> Amended Complaint,. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance.(Gasior, John) (Entered: 10/15/2013)
10/18/2013	<u>132</u>	LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated October 18, 2013 re: Request for Extension in light of Government Shutdown. Document filed by United States Department of Agriculture, Tom Vilsack.(La Morte, Tara) (Entered: 10/18/2013)
10/18/2013	<u>133</u>	MEMO ENDORSEMENT on re: <u>132</u> Letter filed by Tom Vilsack, United States Department of Agriculture. ENDORSEMENT: Ordered: The Court agrees to the above schedule and that it should apply to ALL parties. (Signed by Judge Katherine B.

		Forrest on 10/18/2013) (mro) (Entered: 10/18/2013)
10/18/2013		Set/Reset Deadlines: (Deposition due by 2/20/2014., Discovery due by 12/23/2013., Expert Discovery due by 3/20/2014.), Set/Reset Hearings:(Final Pretrial Conference set for 5/6/2014 at 01:00 PM before Judge Katherine B. Forrest.) (mro) (Entered: 10/18/2013)
10/22/2013	<u>134</u>	ORDER: Currently pending before this Court is a letter motion by Plaintiffs requesting that the Court issue an Order disallowing Defendants' assertion of the deliberative process privilege. (See ECF No. 98.) Pursuant to a Court-Ordered procedure, Defendants and Plaintiffs agreed upon certain custodians as to whom all documents withheld on the basis of such privilege would be provided to the Court for in camera review. (See ECF No. 105.) On October 15, 2013, the State Defendants submitted documents for which they are claiming deliberative process privilege. The Court has reviewed each of the documents submitted for in camera review. With one possible exception, the Court agrees that the documents fall within the parameters of the deliberative process privilege. The Court does not believe Document No. 11972 contains deliberative or decisional content. The State Defendants are directed to re-review this document and inform the Court within seven days whether they wish to maintain or withdraw their assertion of deliberative process privilege over this document. (Signed by Judge Katherine B. Forrest on 10/22/2013) (mro) (Entered: 10/22/2013)
10/22/2013	<u>135</u>	NOTICE OF APPEARANCE by Thomas B. Roberts on behalf of Robert Doar, The New York City Human Rights Resources Administration. (Roberts, Thomas) (Entered: 10/22/2013)
10/23/2013	<u>136</u>	LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated October 23, 2013 re: Federal Defendants' Response to Plaintiffs' Supplementation of Record on Motion to Dismiss. Document filed by United States Department of Agriculture, Tom Vilsack. (Attachments: # <u>1</u> Exhibit Declaration of Elizabeth Weber, # <u>2</u> Exhibit Declaration of Casey McConnell, # <u>3</u> Exhibit Declaration of Alonso Rodriguez)(La Morte, Tara) (Entered: 10/23/2013)
10/29/2013	<u>137</u>	ORDER: On October 28, 2013, the Federal Defendants submitted documents for which they are claiming deliberative process privilege. The Court has reviewed each of the documents submitted for in camera review and finds that the portions noted by counsel with red boxes fall within the parameters of the deliberative process privilege. (Signed by Judge Katherine B. Forrest on 10/29/2013) (tn) (Entered: 10/29/2013)
10/29/2013	<u>138</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from John Gasior dated 10/29/2013 re: Pursuant to the Court's September 21, 2013 Order (Dkt. No. 134), State Defendants' submit the Supplemental Declaration of Phyllis Morris in support of the deliberative process privilege for document CRTLOTDA0011972. ENDORSEMENT: Based on the additional declaration, the Court does not require disclosure of 11972. (Signed by Judge Katherine B. Forrest on 10/29/2013) (tn) (Entered: 10/29/2013)
11/14/2013	<u>139</u>	OPINION & ORDER # 103770 re: <u>67</u> MOTION to Dismiss <i>Second Amended Complaint</i> filed by Tom Vilsack, United States Department of Agriculture. For the reasons set forth above, the Court GRANTS the federal defendants' motion to dismiss. The Clerk of Court shall terminate motion located at ECF No. 67. (Signed by Judge Katherine B. Forrest on 11/14/2013) (mro) Modified on 11/25/2013 (ca). (Entered: 11/15/2013)
11/20/2013		Minute Entry for proceedings held before Judge Katherine B. Forrest: Status Conference held on 11/20/2013. (jp) (Entered: 11/26/2013)
11/22/2013	<u>140</u>	ORDER: All motions for summary judgment shall be fully briefed by 4/18/2014. To the extent that Daubert motions are necessary to such summary judgment motions, those motions shall also be fully briefed by 4/18/2014. Motions in limine and any Daubert motions not necessary to decide summary judgment shall be filed not later than 4/18/2014. Oppositions shall be submitted no later than 5/2/2014. All final pretrial materials shall be filed not later than 4/29/2014. Defendants and plaintiffs shall submit any requests or motions concerning the Court's recent dismissal of the federal defendants from this action as soon as is practicable, but not later than 12/13/2013. (Motions due by 4/18/2014, Responses due by 5/2/2014) (Signed by Judge Katherine

		B. Forrest on 11/22/2013) (tn) (Entered: 11/22/2013)
12/13/2013	<u>141</u>	FILING ERROR – ELECTRONIC FILING OF NON-ECF DOCUMENT – MOTION to Dismiss for Lack of Jurisdiction. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. Responses due by 12/18/2013(Gasior, John) Modified on 12/16/2013 (db). (Entered: 12/13/2013)
12/13/2013	<u>142</u>	FILING ERROR – ELECTRONIC FILING OF NON-ECF DOCUMENT – MOTION to Dismiss. Document filed by The New York City Human Rights Resources Administration.(Longley, Serena) Modified on 12/16/2013 (db). (Entered: 12/13/2013)
12/13/2013	<u>143</u>	MOTION for Reconsideration re; <u>139</u> Memorandum & Opinion,. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T..(Mastro, Randy) (Entered: 12/13/2013)
12/13/2013	<u>144</u>	MEMORANDUM OF LAW in Support re: <u>143</u> MOTION for Reconsideration re; <u>139</u> Memorandum & Opinion,.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 12/13/2013)
12/16/2013		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney John Peter Gasior. Document No. <u>141</u> Letter. This document is not filed via ECF. The Court permits the filing of letters including certain types of letter motions, a Motion to Dismiss for Lack of Jurisdiction must be formally filed. (db) (Entered: 12/16/2013)
12/16/2013		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney Serena Mabel Longley. Document No. <u>142</u> Letter. This document is not filed via ECF. The Court permits the filing of letters including certain types of letter motions, a Motion to Dismiss must be formally filed. (db) (Entered: 12/16/2013)
12/16/2013	<u>145</u>	LETTER addressed to Judge Katherine B. Forrest from John Gasior, AAG dated December 13, 2013 re: Toney–Dick v. Doar – State Defendants' Response to Dismissal of Federal Defendants. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance.(Gasior, John) (Entered: 12/16/2013)
12/16/2013	<u>146</u>	LETTER addressed to Judge Katherine B. Forrest from Serena Longley dated December 16, 2013 re: Motion to Dismiss originally filed December 13, 2013. Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Longley, Serena) (Entered: 12/16/2013)
12/16/2013	<u>147</u>	LETTER addressed to Judge Katherine B. Forrest from Goutam U. Jois dated December 16, 2013 re: City and State Defendants' Motion to Dismiss. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T..(Jois, Goutam) (Entered: 12/16/2013)
12/17/2013	<u>148</u>	LETTER MOTION for Extension of Time <i>Concerning Federal Defendants' Opposition to Motion for Reconsideration</i> addressed to Judge Katherine B. Forrest from Tara M. La Morte dated December 17, 2013. Document filed by United States Department of Agriculture, Tom Vilsack.(La Morte, Tara) (Entered: 12/17/2013)
12/17/2013	<u>149</u>	ORDER granting <u>148</u> Letter Motion for Extension of Time. Ordered: Application granted. (Signed by Judge Katherine B. Forrest on 12/17/2013) (mro) (Entered: 12/17/2013)
12/17/2013	<u>150</u>	MEMO ENDORSEMENT on re: <u>147</u> Letter filed by Sherry Hanan, Renee Moore, X.T., Alechea Toney–Dick. ENDORSEMENT: Ordered: The Court would find it helpful to have the plaintiffs' response on the 12(c) when reviewing all pending motions. In light of the holidays, if you need an extra week, let the Court know. (Signed by Judge Katherine B. Forrest on 12/17/2013) (mro) (Entered: 12/17/2013)
12/18/2013	<u>151</u>	LETTER addressed to Judge Katherine B. Forrest from Goutam U. Jois dated December 18, 2013 re: Plaintiffs' Confirmation of Response Date. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T..(Jois, Goutam) (Entered: 12/18/2013)

12/30/2013	<u>152</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MEMORANDUM OF LAW in Opposition re: <u>141</u> MOTION to Dismiss for Lack of Jurisdiction., <u>142</u> MOTION to Dismiss. <i>PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO THE CITY DEFENDANTS' AND STATE DEFENDANTS' MOTIONS TO DISMISS</i> . Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) Modified on 12/31/2013 (db). (Entered: 12/30/2013)
12/30/2013	<u>153</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of KENNETH STEPHENS in Opposition re: <u>141</u> MOTION to Dismiss for Lack of Jurisdiction., <u>142</u> MOTION to Dismiss.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Exhibit 1)(Mastro, Randy) Modified on 12/31/2013 (db). (Entered: 12/30/2013)
12/31/2013		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Randy M. Mastro to RE–FILE Document <u>152</u> Memorandum of Law in Opposition to Motion, <u>153</u> Declaration in Opposition to Motion. ERROR(S): Documents linked to filing error. (db) (Entered: 12/31/2013)
12/31/2013	<u>154</u>	MEMORANDUM OF LAW in Opposition re: <u>146</u> Letter, <u>145</u> Letter, <i>PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO THE CITY DEFENDANTS' AND STATE DEFENDANTS' MOTIONS TO DISMISS</i> . Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 12/31/2013)
12/31/2013	<u>155</u>	DECLARATION of KENNETH STEPHENS in Opposition re: <u>146</u> Letter, <u>145</u> Letter.. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Exhibit 1)(Mastro, Randy) (Entered: 12/31/2013)
01/06/2014	<u>156</u>	LETTER addressed to Judge Katherine B. Forrest from John Gasior dated January 6, 2014 re: Reply to plaintiffs. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance.(Gasior, John) (Entered: 01/06/2014)
01/06/2014	<u>157</u>	LETTER REPLY to Response to Motion addressed to Judge Katherine B. Forrest from Thomas B. Roberts, Assistant Corporation Counsel dated Jan. 6, 2014 re: <u>142</u> MOTION to Dismiss.. Document filed by The New York City Human Rights Resources Administration. (Roberts, Thomas) (Entered: 01/06/2014)
01/08/2014	<u>158</u>	ORDER: The parties are hereby ORDERED to appear for a telephonic conference in the above–referenced matter on January 9, 2014 at 12:30 P.M. Counsel for the USDA shall also appear. All parties shall call chambers (212–805–0139) from a single line at the time of the conference. (Telephone Conference set for 1/9/2014 at 12:30 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 1/8/2014) (mro) (Entered: 01/08/2014)
01/08/2014	<u>159</u>	FILING ERROR – ELECTRONIC FILING OF NON–ECF DOCUMENT – MOTION to Substitute Party. Old Party: New York City Human Resources Administration, New Party: City of New York. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Jois, Goutam) Modified on 1/9/2014 (db). (Entered: 01/08/2014)
01/09/2014	<u>160</u>	NOTICE OF APPEARANCE by Linda Fang on behalf of Kristin Proud, The New York State Office of Temporary and Disability Assistance. (Fang, Linda) (Entered: 01/09/2014)
01/09/2014		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – NON–ECF DOCUMENT ERROR. Note to Attorney Goutam Umesh Jois. Document No. <u>159</u> Letter. This document is not filed via ECF. The Court permits the filing of letters including certain types of letter motions, a Motion to Substitute Party or Leave to File a Document must be formally filed. (db) (Entered: 01/09/2014)
01/09/2014	<u>161</u>	LETTER addressed to Judge Katherine B. Forrest from Goutam Jois dated January 8, 2014 re: party substitution. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Jois, Goutam) (Entered: 01/09/2014)
01/09/2014	<u>162</u>	ORDER: On January 9, 2014, a telephonic conference was held in the above–referenced action. Pursuant to what was discussed during that conference, the parties are hereby ORDERED to notify the Court no later than January 21, 2014

		whether they believe it would be worthwhile to engage in either formal or informal discussions regarding a possible pre-trial resolution of this matter. If they believe such discussions might prove worthwhile, the parties shall indicate at that time whether they desire a referral to the assigned magistrate judge. (Signed by Judge Katherine B. Forrest on 1/9/2014) (mro) (Entered: 01/09/2014)
01/21/2014	<u>163</u>	MEMORANDUM OF LAW in Opposition re: <u>143</u> MOTION for Reconsideration re: <u>139</u> Memorandum & Opinion,.. Document filed by United States Department of Agriculture, Tom Vilsack. (La Morte, Tara) (Entered: 01/21/2014)
01/21/2014	<u>164</u>	DECLARATION of Tara M. La Morte in Opposition re: <u>143</u> MOTION for Reconsideration re: <u>139</u> Memorandum & Opinion,.. Document filed by United States Department of Agriculture, Tom Vilsack. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(La Morte, Tara) (Entered: 01/21/2014)
01/21/2014	<u>165</u>	LETTER addressed to Judge Katherine B. Forrest from Tara M. La Morte dated January 21, 2014 re: The Court's Order dated January 9, 2014. Document filed by United States Department of Agriculture, Tom Vilsack.(La Morte, Tara) (Entered: 01/21/2014)
01/21/2014	<u>166</u>	JOINT LETTER addressed to Judge Katherine B. Forrest from Linda Fang dated January 21, 2014 re: The Court's Order, dated January 9, 2014. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance.(Fang, Linda) (Entered: 01/21/2014)
01/22/2014	<u>167</u>	LETTER addressed to Judge Katherine B. Forrest from Serena Longley dated January 22, 2014 re: City Defendants Opposition to Plaintiffs' Request for Leave to Amend (Dkt. # 161). Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Longley, Serena) (Entered: 01/22/2014)
01/23/2014	<u>168</u>	ORDER: All motions for summary judgment shall be fully briefed by July 10, 2014. Motions in limine and any Daubert motions not necessary to decide summary judgment due by 8/13/2014. Responses due by 8/22/2014. Final Pretrial Conference set for 9/4/2014 at 01:00 PM before Judge Katherine B. Forrest. Trial shall commence on September 8, 2014. Status Conference set for 4/4/2014 at 01:00 PM before Judge Katherine B. Forrest. All pending motions in this matter are hereby terminated, with leave to renew should the settlement discussions fail. The Court shall forthwith issue a referral to Magistrate Judge Peck, should the parties desire to meet with him. The Clerk of Court is directed to terminate all pending motions in this action. (Signed by Judge Katherine B. Forrest on 1/22/2014) (ft) (Entered: 01/23/2014)
01/23/2014	<u>169</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 Andrew J. Peck. (Signed by Judge Katherine B. Forrest on 1/22/2014) (ft) (Entered: 01/23/2014)
01/24/2014	<u>170</u>	MEMO ENDORSEMENT on re: <u>167</u> Letter, filed by Robert Doar, The New York City Human Rights Resources Administration. ENDORSEMENT: Ordered: This motion shall be held in abeyance pending the discussions between the parties, and per the Court's Order of Jan. 23, 2014. (Signed by Judge Katherine B. Forrest on 1/24/2014) (mro) (Entered: 01/24/2014)
02/03/2014	<u>171</u>	ORDER FOR SETTLEMENT CONFERENCE: A settlement conference is scheduled for March 25, 2014 at 9:30 AM before Magistrate Judge Andrew J. Peck in Courtroom 20D, 500 Pearl Street. Counsel attending the conference must have full settlement authority and their client(s) must be present at the conference, as must a representative of the client's insurance company where the decision to settle and/or amount of settlement must be approved by the insurance company. Counsel shall provide a confidential settlement memorandum to my chambers. The memorandum shall not be filed with the Clerk of the Court nor provided to opposing counsel. The memorandum should explain the factual and legal background of the case as it impacts on settlement negotiations; the status of prior settlement discussions between the parties; and the party's settlement proposal (range). See Order., (Settlement Conference set for 3/25/2014 at 09:30 AM in Courtroom 20D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Andrew J. Peck.) (Signed by Magistrate Judge Andrew J. Peck on 1/31/2014) (lmb) (Entered: 02/03/2014)

03/11/2014	<u>172</u>	LETTER MOTION for Extension of Time addressed to Judge Katherine B. Forrest from Serena Longley dated March 11, 2014. Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Longley, Serena) (Entered: 03/11/2014)
03/12/2014	<u>173</u>	ORDER granting <u>172</u> Letter Motion for Extension of Time: SO ORDERED. The Court hereby grants the first request, regarding the 45-day extension. Additionally, the Court hereby adjourns the status conference currently scheduled for April 4, 2014 to May 22, 2014 at 1:00 p.m. With respect to the second request, Judge Peck shall issue an Order on that point. (Signed by Judge Katherine B. Forrest on 3/12/2014) (kgo) (Entered: 03/12/2014)
03/12/2014		Set/Reset Hearings: Status Conference set for 5/22/2014 at 01:00 PM before Judge Katherine B. Forrest. (kgo) (Entered: 03/12/2014)
03/13/2014	<u>174</u>	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Serena Longley dated 3/11/2014 re: Therefore, the parties respectfully request that the trial date and all interim litigation deadlines be extended an additional 45 days under the same conditions set forth in the Court's January 23, 2014 Order and that the March 25, 2014 settlement conference with Judge Peck be rescheduled for a date in mid- May. ENDORSEMENT: Granted. The Settlement Conference is rescheduled to Tuesday, May 13, 2014 at 2:00 p.m. in Courtroom 20D. SO ORDERED., (Settlement Conference set for 5/13/2014 at 02:00 PM in Courtroom 20D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Andrew J. Peck.) (Signed by Magistrate Judge Andrew J. Peck on 3/13/2014) (ama) (Entered: 03/13/2014)
04/25/2014	<u>175</u>	NOTICE OF CHANGE OF ADDRESS by Thomas B. Roberts on behalf of Robert Doar, The New York City Human Rights Resources Administration. New Address: City of New York Law Department, 100 Church Street, New York, NY, USA 10007, 212 356 0872. (Roberts, Thomas) (Entered: 04/25/2014)
05/02/2014	<u>176</u>	SECOND LETTER MOTION to Adjourn Conference <i>and Trial Date</i> addressed to Judge Katherine B. Forrest from Serena Longley dated May 2, 2014. Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Longley, Serena) (Entered: 05/02/2014)
05/05/2014	<u>177</u>	ORDER granting <u>176</u> Letter Motion to Adjourn Conference: Ordered: 1. Trial date adjourned to November 17, 2014. 2. Status Conference adjourned to July 18, 2014 at 1pm. Status Conference set for 7/18/2014 at 01:00 PM before Judge Katherine B. Forrest. (Signed by Judge Katherine B. Forrest on 5/2/2014) (tn) (Entered: 05/05/2014)
05/06/2014	<u>178</u>	MEMO ENDORSEMENT on re: <u>176</u> SECOND LETTER MOTION to Adjourn Conference <i>and Trial Date</i> addressed to Judge Katherine B. Forrest from Serena Longley dated May 2, 2014. filed by Robert Doar, The New York City Human Rights Resources Administration, <u>177</u> Order on Motion to Adjourn Conference. ENDORSEMENT: Settlement conf. adjourned at parties request from May 13 to July 3 at 9:30 AM. (Settlement Conference set for 7/3/2014 at 09:30 AM before Magistrate Judge Andrew J. Peck.) (Signed by Magistrate Judge Andrew J. Peck on 5/6/2014) (ajs) (Entered: 05/06/2014)
06/25/2014	<u>179</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from Sumani Lanka dated June 25, 2014 re: Status of the Action. Document filed by Sherry Hanan, Renee Moore, Alechea Toney-Dick, X.T..(Lanka, Sumani) (Entered: 06/25/2014)
06/26/2014	<u>180</u>	MEMO ENDORSEMENT on re: <u>179</u> Letter filed by Sherry Hanan, Renee Moore, X.T., Alechea Toney-Dick. ENDORSEMENT: The July 3 settlement conference is adjourned until August 7th at 9:30 a.m. Settlement memos are due one week prior. (See Dkt. No. 171) SO ORDERED. (Signed by Magistrate Judge Andrew J. Peck on 6/26/2014) (ajs) (Entered: 06/26/2014)
06/27/2014	<u>181</u>	ORDER: The Court hereby ORDERS that the status conference currently set to occur before the undersigned on July 18, 2014 is adjourned to September 23, 2014 at 1:30 p.m. The Court shall set forth a schedule to govern the remainder of the litigation (if the parties have not settled) at that time. In the meantime, for the sake of clarity on the docket, all dates and deadlines currently set are adjourned. SO ORDERED. (Status Conference set for 9/23/2014 at 01:30 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 6/26/2014) (kgo) (Entered: 06/27/2014)

07/11/2014	<u>182</u>	NOTICE of Withdrawal of Appearance re: <u>13</u> Notice of Appearance. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Nematzadeh, Justin) (Entered: 07/11/2014)
07/15/2014	<u>183</u>	NOTICE OF APPEARANCE by Christine Louise Demana on behalf of Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Demana, Christine) (Entered: 07/15/2014)
07/15/2014	<u>184</u>	NOTICE OF APPEARANCE by Seth Rokosky on behalf of Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Rokosky, Seth) (Entered: 07/15/2014)
07/31/2014	<u>185</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from Serena Longley dated July 31, 2014 re: August 7 Settlement Conference Attendees. Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Longley, Serena) (Entered: 07/31/2014)
08/07/2014		Minute Entry for proceedings held before Magistrate Judge Andrew J. Peck: Settlement Conference held on 8/7/2014. Settlement update letters due 9/5. (Gray, Diane) (Entered: 08/07/2014)
09/05/2014	<u>186</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from Thomas B. Roberts dated Sept. 5, 2014 re: Status of settlement negotiations. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick, United States Department of Agriculture, Tom Vilsack, X.T..(Roberts, Thomas) (Entered: 09/05/2014)
09/08/2014	<u>187</u>	MEMO ENDORSEMENT on re: <u>186</u> Letter, filed by Kristin Proud, Robert Doar, Sherry Hanan, The New York City Human Rights Resources Administration, Renee Moore, Alechea Toney–Dick, United States Department of Agriculture, X.T., Tom Vilsack, The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: Approved. Next status report due 9/9/14. (Signed by Magistrate Judge Andrew J. Peck on 9/8/2014) (tn) (Entered: 09/08/2014)
09/19/2014	<u>188</u>	STATUS REPORT. <i>To Magistrate Judge Peck from all parties.</i> Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick, X.T..(Gasior, John) (Entered: 09/19/2014)
09/22/2014	<u>189</u>	MEMO ENDORSEMENT on re: <u>188</u> Status Report, filed by Kristin Proud, Robert Doar, Sherry Hanan, The New York City Human Rights Resources Administration, Renee Moore, Alechea Toney–Dick, X.T., The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: Approved. Next status letter due 10/3/14. (Signed by Magistrate Judge Andrew J. Peck on 9/22/2014) (tn) (Entered: 09/22/2014)
09/22/2014	<u>190</u>	ORDER: The status conference on Tuesday, September 23, 2014 is hereby rescheduled from 1:30 p.m. to 12:30 p.m., (Status Conference set for 9/23/2014 at 12:30 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 9/22/2014) (lmb) (Entered: 09/22/2014)
09/22/2014	<u>191</u>	LETTER addressed to Judge Katherine B. Forrest from Thomas B. Roberts dated Sept. 22, 2014 re: Rescheduling of conference scheduled for Sept. 23, 2014. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick.(Roberts, Thomas) (Entered: 09/22/2014)
09/22/2014	<u>192</u>	MEMO ENDORSEMENT on re: <u>191</u> Letter, filed by Kristin Proud, Robert Doar, Sherry Hanan, The New York City Human Rights Resources Administration, Renee Moore, Alechea Toney–Dick, The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: Ordered: Conference adjourned to 10/9/14 at 2 pm. (Status Conference set for 10/9/2014 at 02:00 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 9/22/2014) (tn) (Entered: 09/22/2014)
10/02/2014	<u>193</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from Thomas B. Roberts dated October 2, 2014 re: report on status of settlement negotiations. Document filed

		by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick.(Roberts, Thomas) (Entered: 10/02/2014)
10/03/2014	<u>194</u>	MEMO ENDORSEMENT on re: <u>193</u> Letter, filed by Kristin Proud, Robert Doar, Sherry Hanan, The New York City Human Rights Resources Administration, Renee Moore, Alechea Toney–Dick, The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: Approved. Next report due 10/24/14. (Signed by Magistrate Judge Andrew J. Peck on 10/3/2014) (tn) (Entered: 10/03/2014)
10/03/2014	<u>196</u>	MEMO ENDORSEMENT on re: <u>193</u> Letter, filed by Kristin Proud, Robert Doar, Sherry Hanan, The New York City Human Rights Resources Administration, Renee Moore, Alechea Toney–Dick, The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: Please respond back as you've indicated -- on 10/24/14. (Signed by Judge Katherine B. Forrest on 10/3/2014) (lmb) (Entered: 10/07/2014)
10/06/2014	<u>195</u>	LETTER addressed to Judge Katherine B. Forrest from Thomas B. Roberts dated October 6, 2014 re: Report on status of settlement negotiations and request of all parties to postpone conference scheduled for October 9, 2014 at 2:00 p.m.. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick.(Roberts, Thomas) (Entered: 10/06/2014)
10/07/2014	<u>197</u>	MEMO ENDORSEMENT on re: <u>195</u> Letter, filed by Kristin Proud, Robert Doar, Sherry Hanan, The New York City Human Rights Resources Administration, Renee Moore, Alechea Toney–Dick, The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: Conference adjourned to 11/7/14 at 10:30 am., (Status Conference set for 11/7/2014 at 10:30 AM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 10/7/2014) (lmb) (Entered: 10/07/2014)
10/24/2014	<u>198</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from Thomas B. Roberts dated Oct. 24, 2014 re: Report on status of settlement negotiations. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick.(Roberts, Thomas) (Entered: 10/24/2014)
10/27/2014	<u>199</u>	MEMO ENDORSEMENT on re: <u>198</u> Letter, filed by Kristin Proud, Robert Doar, Sherry Hanan, The New York City Human Rights Resources Administration, Renee Moore, Alechea Toney–Dick, The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: Approved– next report due 11/14/14. (Signed by Magistrate Judge Andrew J. Peck on 10/24/2014) (tro) (Entered: 10/27/2014)
11/03/2014	<u>200</u>	LETTER addressed to Judge Katherine B. Forrest from Thomas B. Roberts dated Nov. 3, 2014 re: Status of settlement negotiations and joint request to reschedule the conference currently scheduled for November 7, 2014. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick.(Roberts, Thomas) (Entered: 11/03/2014)
11/04/2014	<u>201</u>	MEMO ENDORSEMENT on re: <u>200</u> Letter, filed by Kristin Proud, Robert Doar, Sherry Hanan, The New York City Human Rights Resources Administration, Renee Moore, Alechea Toney–Dick, The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: So ordered. Conference adjourned to 11/21 at 1PM. (Status Conference set for 11/21/2014 at 01:00 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 11/4/2014) (tro) (Entered: 11/04/2014)
11/14/2014	<u>202</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from Thomas B. Roberts dated Nov. 14, 2014 re: Report on status of settlement negotiations. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick.(Roberts, Thomas) (Entered: 11/14/2014)

11/19/2014	<u>203</u>	LETTER MOTION to Adjourn Conference addressed to Judge Katherine B. Forrest from John Gasior for all parties dated November 19, 2014. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick.(Gasior, John) (Entered: 11/19/2014)
11/19/2014	<u>204</u>	MEMO ENDORSEMENT on re: <u>202</u> Letter, filed by Kristin Proud, Robert Doar, Sherry Hanan, The New York City Human Rights Resources Administration, Renee Moore, Alechea Toney–Dick, The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: Approved. Next status letter due 12/5/14. (Signed by Magistrate Judge Andrew J. Peck on 11/19/2014) (tn) (Entered: 11/19/2014)
11/20/2014	<u>205</u>	ORDER granting <u>203</u> Letter Motion to Adjourn Conference. Conference adjourned to 12/17/14 at 11 am. We will meet then (don't request an adjournment) if you have not settled and set a schedule for disposition. Status Conference set for 12/17/2014 at 11:00 AM before Judge Katherine B. Forrest. (Signed by Judge Katherine B. Forrest on 11/19/2014) (lmb) (Entered: 11/20/2014)
12/01/2014	<u>206</u>	MEMO ENDORSEMENT on re: <u>182</u> Notice (Other) filed by Sherry Hanan, Renee Moore, X.T., Alechea Toney–Dick. ENDORSEMENT: So ordered. (Signed by Judge Katherine B. Forrest on 12/1/2014) (lmb) (Entered: 12/01/2014)
12/05/2014	<u>207</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from Thomas B. Roberts dated Dec. 5, 2014 re: status of settlement negotiations. Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Roberts, Thomas) (Entered: 12/05/2014)
12/05/2014	<u>208</u>	MEMO ENDORSEMENT on re: <u>207</u> Letter filed by Robert Doar, The New York City Human Rights Resources Administration. ENDORSEMENT: Next report due 1/9/15 (subject to any different ruling from Judge Forrest at the 12/17/14 conference). (Signed by Magistrate Judge Andrew J. Peck on 12/5/2014) (tn) (Entered: 12/05/2014)
12/17/2014		Minute Entry for proceedings held before Judge Katherine B. Forrest: Status Conference held on 12/17/2014. (jp) (Entered: 12/18/2014)
12/17/2014	<u>209</u>	ORDER: On December 17, 2014, a status conference was held in the above–referenced matter. As set forth on the record: 1. Defendants shall file a summary judgment submission not later than January 30, 2015; plaintiffs' opposition is due February 16, 2015; replies are due February 25, 2015. As the parties anticipate largely legal issues (though plaintiffs may want to raise certain fact issues), the Court waived 56.1 submissions and stated that the parties may also proceed with letter briefs. 3. A status conference is scheduled for February 27, 2015 at 1:00 p.m. 4. The parties shall continue with settlement discussions before Judge Peck. (Motions due by 1/30/2015., Responses due by 2/16/2015, Replies due by 2/25/2015.), (Status Conference set for 2/27/2015 at 01:00 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 12/17/2014) (djc) (Entered: 12/18/2014)
12/31/2014	<u>210</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 12/17/2014 before Judge Katherine B. Forrest. Court Reporter/Transcriber: Andrew Walker, (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 1/26/2015. Redacted Transcript Deadline set for 2/5/2015. Release of Transcript Restriction set for 4/3/2015.(McGuirk, Kelly) (Entered: 12/31/2014)
12/31/2014	<u>211</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 12/17/2014 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: 12/31/2014)
01/07/2015	<u>212</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from Goutam U. Jois dated January 7, 2015 re: Settlement Discussions. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T..(Jois, Goutam) (Entered: 01/07/2015)

01/13/2015	<u>213</u>	ORDER FOR SETTLEMENT CONFERENCE: Settlement Conference set for 1/21/2015 at 02:00 PM in Courtroom 20D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Andrew J. Peck. Counsel attending the conference must have full settlement authority and their client(s) must be present at the conference, as must a representative of the client's insurance company where the decision to settle and/or amount of settlement must be approved by the insurance company. Counsel shall provide a confidential settlement memorandum to my chambers. The memorandum shall not be filed with the Clerk of the Court nor provided to opposing counsel. The memorandum should explain the factual and legal background of the case as it impacts on settlement negotiations; the status of prior settlement discussions between the parties; and the party's settlement proposal (range). See Order. (Signed by Magistrate Judge Andrew J. Peck on 1/12/2015) (ajs) (Entered: 01/13/2015)
01/13/2015	<u>214</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from Goutam U. Jois dated January 13, 2015 re: confirmation that the parties may submit letters in lieu of settlement memoranda. Document filed by Sherry Hanan, Renee Moore, Alechea Toney-Dick, X.T..(Jois, Goutam) (Entered: 01/13/2015)
01/14/2015	<u>215</u>	MEMO ENDORSEMENT on re: <u>214</u> Letter, filed by Sherry Hanan, Renee Moore, X.T., Alechea Toney-Dick. ENDORSEMENT: APPROVED. (Signed by Magistrate Judge Andrew J. Peck on 1/14/2015) (tn) (Entered: 01/14/2015)
01/22/2015		Minute Entry for proceedings held before Magistrate Judge Andrew J. Peck: Settlement Conference held on 1/21/2015. Plaintiff to provide atty fee cap by 1/30. (Gray, Diane) (Entered: 01/22/2015)
01/29/2015	<u>216</u>	LETTER addressed to Magistrate Judge Andrew J. Peck from John Gasior dated January 29, 2015 re: Settlement of Prospective Relief. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney-Dick, X.T..(Gasior, John) (Entered: 01/29/2015)
01/29/2015	<u>217</u>	JOINT LETTER addressed to Judge Katherine B. Forrest from Kenneth Stephens dated January 29, 2015 re: Settlement Agreement in Principle. Document filed by Alechea Toney-Dick.(Stephens, Kenneth) (Entered: 01/29/2015)
01/30/2015	<u>218</u>	MEMO ENDORSEMENT on re: <u>217</u> Letter filed by Alechea Toney-Dick requesting in lieu of the scheduled summary judgment briefing, they submit to the Court a signed stipulation of settlement within thirty days. So ordered. (Sounds like terrific progress!) (Signed by Judge Katherine B. Forrest on 1/30/2015) (spo) (Entered: 01/30/2015)
02/25/2015	<u>219</u>	JOINT LETTER MOTION to Adjourn Conference <i>scheduled for Feb. 27, 2015 at 1:00 pm to another date or to cancel the conference</i> addressed to Judge Katherine B. Forrest from Thomas B. Roberts dated Feb. 25, 2015. Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Roberts, Thomas) (Entered: 02/25/2015)
02/25/2015	<u>220</u>	ORDER granting <u>219</u> Letter Motion to Adjourn Conference. Conference adjourned to 3/11/15 at 11:30am. (Status Conference set for 3/11/2015 at 11:30 AM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 2/25/2015) (spo) (Entered: 02/25/2015)
03/11/2015	<u>221</u>	ORDER: The parties shall submit their proposed settlement by March 20, 2015. The parties shall submit the proposed notice to the class and the memorandum in support by March 25, 2015. The fairness hearing shall take place on June 25, 2015 at 1:00 p.m. (Fairness Hearing set for 6/25/2015 at 01:00 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 3/11/2015) (kko) (Entered: 03/11/2015)
03/11/2015		Minute Entry for proceedings held before Judge Katherine B. Forrest: Status Conference held on 3/11/2015. (jp) (Entered: 03/13/2015)
03/19/2015	<u>222</u>	LETTER MOTION for Extension of Time to File <i>Stipulation of Settlement</i> addressed to Judge Katherine B. Forrest from John Gasior dated March 19, 2015. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney-Dick, X.T..(Gasior, John) (Entered: 03/19/2015)

03/19/2015	<u>223</u>	ORDER granting <u>222</u> LETTER MOTION for Extension of Time to File Stipulation of Settlement addressed to Judge Katherine B. Forrest from John Gasior dated March 19, 2015. Document filed by Robert Doar, Sherry Hanan, Renee Moore, Kristin Proud, The New York City Human Rights Resources Administration, The New York State Office of Temporary and Disability Assistance, Alechea Toney–Dick, X.T. So ordered. (Signed by Judge Katherine B. Forrest on 3/19/2015) (rjm) (Entered: 03/20/2015)
03/30/2015	<u>224</u>	JOINT MOTION to Approve CLASS ACTION SETTLEMENT AND CLASS NOTICE . Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit C, Ex. A, Part 1, # <u>5</u> Exhibit C, Ex. A, Part 2)(Mastro, Randy) (Entered: 03/30/2015)
03/30/2015	<u>225</u>	JOINT MEMORANDUM OF LAW in Support re: <u>224</u> JOINT MOTION to Approve CLASS ACTION SETTLEMENT AND CLASS NOTICE . . Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Mastro, Randy) (Entered: 03/30/2015)
03/31/2015	<u>226</u>	ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND CLASS NOTICE granting <u>224</u> Motion to Approve. IT IS ORDERED THAT: 1. Capitalized terms in this Order not defined herein shall have the meanings set forth in the Settlement Agreement. 2. The Court has jurisdiction over the subject matter of this Action and personal jurisdiction over the Plaintiffs, the subclasses, and the City and State Defendants. 3. The Court hereby grants preliminary approval of the terms and conditions contained in the Settlement Agreement filed concurrently herewith. The Court preliminarily finds that the terms of the Settlement Agreement appear to be within the range of possible approval, pursuant to Fed. R. Civ. P. 23(e) and applicable law. 4. A hearing pursuant to Fed. R. Civ. P. 23(e) shall be held for purposes of determining whether the proposed Settlement Agreement is fair, reasonable, and adequate, and should be approved by the Court (the "Fairness Hearing"). The Fairness Hearing shall take place before the Honorable Katherine B. Forrest, U.S. District Court, Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on June 25, 2015, at 1:00 pm. The Fairness Hearing may be adjourned or continued from time to time without further notice. 5. The Court hereby approves the Class Notice, attached hereto as Exhibit B, for both subclasses as further set forth in this order. 12. The Court further orders that, pending further order of this Court, all proceedings in this Action except those contemplated herein and in the Settlement Agreement shall be stayed. (Signed by Judge Katherine B. Forrest on 3/31/2015) (lmb) (Entered: 03/31/2015)
03/31/2015		Set/Reset Hearings: Fairness Hearing set for 6/25/2015 at 01:00 PM before Judge Katherine B. Forrest. (lmb) (Entered: 03/31/2015)
03/31/2015	<u>227</u>	MEMO ENDORSEMENT on NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION CONCERNING THE DISASTER SUPPLEMENTAL NUTRITIONAL ASSISTANCE PROGRAM (D–SNAP) FOLLOWING SUPERSTORM SANDY. ENDORSEMENT: Proposed notice approved. (Signed by Judge Katherine B. Forrest on 3/31/2015) (lmb) (Entered: 03/31/2015)
04/06/2015	<u>228</u>	NOTICE of Settlement of <i>Proposed Class Action Under 28 U.S.C. 1715</i> . Document filed by All Defendants. (Attachments: # <u>1</u> Exhibit Complaint, # <u>2</u> Exhibit 1st Amended Complaint, # <u>3</u> Exhibit 2nd Amended Complaint, # <u>4</u> Exhibit Order Granting Preliminary Approval of Class Action Settlement and Class Notice, # <u>5</u> Exhibit Class Notice, # <u>6</u> Exhibit Stipulation and Order of Settlement)(Roberts, Thomas) (Entered: 04/06/2015)
04/06/2015	<u>229</u>	CERTIFICATE OF SERVICE of Notice of Proposed Class Action Settlement Under 28 U.S.C. 1715 served on Attorneys General of US, states and territories on April 6, 2015. Service was made by Mail. Document filed by Robert Doar, The New York City Human Rights Resources Administration. (Roberts, Thomas) (Entered: 04/06/2015)
05/13/2015	<u>230</u>	LETTER addressed to Judge Katherine B. Forrest from Thomas B. Roberts dated May 13, 2015 re: delay in posting Class Notice. Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Roberts, Thomas) (Entered: 05/13/2015)

06/11/2015	<u>231</u>	MOTION to Approve CLASS ACTION SETTLEMENT – <i>UNOPPOSED</i> . Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. Return Date set for 6/25/2015 at 01:00 PM. (Attachments: # <u>1</u> Exhibit A)(Jois, Goutam) (Entered: 06/11/2015)
06/11/2015	<u>232</u>	MEMORANDUM OF LAW in Support re: <u>231</u> MOTION to Approve CLASS ACTION SETTLEMENT – <i>UNOPPOSED</i> . . Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Jois, Goutam) (Entered: 06/11/2015)
06/11/2015	<u>233</u>	DECLARATION of KENNETH STEPHENS in Support re: <u>231</u> MOTION to Approve CLASS ACTION SETTLEMENT – <i>UNOPPOSED</i> .. Document filed by Sherry Hanan, Renee Moore, Alechea Toney–Dick, X.T.. (Jois, Goutam) (Entered: 06/11/2015)
06/23/2015	<u>234</u>	LETTER addressed to Judge Katherine B. Forrest from AAG John Gasior dated June 23, 2015 re: Fairness hearing conference call. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance.(Gasior, John) (Entered: 06/23/2015)
06/24/2015	<u>235</u>	MEMO ENDORSEMENT on re: <u>234</u> Letter requesting Fairness hearing conference call, filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance. ENDORSEMENT: SO ordered. (Signed by Judge Katherine B. Forrest on 6/24/2015) (spo) (Entered: 06/25/2015)
06/25/2015		Minute Entry for proceedings held before Judge Katherine B. Forrest: Fairness Hearing held on 6/25/2015. (jp) (Entered: 06/25/2015)
07/07/2015	<u>236</u>	JUDGMENT APPROVING CLASS ACTION SETTLEMENT AND DISMISSING ACTION: The Court has jurisdiction over the subject matter of this Action and personal jurisdiction over the Plaintiffs, the subclasses, and the City and State Defendants. 3. The Court hereby grants Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement and enters Final Judgment in the Action effective July 7, 2015. 4. The Settlement Agreement is approved as fair, reasonable, and adequate, and in the best interests of the members of the Class. The parties to the Settlement Agreement are directed to consummate the Settlement in accordance with its terms and provisions. 8. This Action is hereby dismissed with prejudice as against the City Defendants and State Defendants pursuant to Federal Rules of Civil Procedure 41(a)(1) and 23(e) and the terms of Section VI of the Settlement Agreement. Upon entry of this Order, the claims held by each settling Class Member against the City and State Defendants, are fully, finally, and forever relinquished and discharged pursuant to Section VI of the Settlement Agreement. (As further set forth in this Order.) (Signed by Judge Katherine B. Forrest on 7/7/2015) (ajs) (Entered: 07/07/2015)
09/02/2015	<u>237</u>	LETTER MOTION for Extension of Time addressed to Judge Katherine B. Forrest from Kenneth Stephens dated September 2, 2015., FIRST LETTER MOTION for Extension of Time to File <i>Motion for Attorneys' Fees</i> addressed to Judge Katherine B. Forrest from Kenneth Stephens dated September 2, 2015. Document filed by Alechea Toney–Dick.(Stephens, Kenneth) (Entered: 09/02/2015)
09/03/2015	<u>238</u>	ORDER granting <u>237</u> Letter Motion for Extension of Time; granting <u>237</u> Letter Motion for Extension of Time to File. So ordered. (Motions due by 11/7/2015.) (Signed by Judge Katherine B. Forrest on 9/3/2015) (lmb) (Entered: 09/03/2015)
11/03/2015	<u>239</u>	LETTER MOTION for Extension of Time <i>for Plaintiffs to file motion for attorneys' fees</i> addressed to Judge Katherine B. Forrest from John Gasior dated November 3, 2015. Document filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance.(Gasior, John) (Entered: 11/03/2015)
11/04/2015	<u>240</u>	ORDER granting <u>239</u> Letter Motion for Extension of Time. So ordered. Motions due by 11/30/2015. (Signed by Judge Katherine B. Forrest on 11/4/2015) (lmb) (Entered: 11/04/2015)
11/06/2015	<u>241</u>	NOTICE OF APPEARANCE by Thomas B. Roberts on behalf of Robert Doar, The New York City Human Rights Resources Administration. (Roberts, Thomas) (Entered: 11/06/2015)
11/25/2015	<u>242</u>	LETTER MOTION for Extension of Time <i>to file motion for attorneys' fees</i> addressed to Judge Katherine B. Forrest from John Gasior dated November 25, 2015. Document

		filed by Kristin Proud, The New York State Office of Temporary and Disability Assistance.(Gasior, John) (Entered: 11/25/2015)
11/30/2015	<u>243</u>	ORDER granting <u>242</u> Letter Motion for Extension of Time. (I hope so!) So ordered. Motions due by 12/21/2015. (Signed by Judge Katherine B. Forrest on 11/30/2015) (lmb) (Entered: 11/30/2015)
12/28/2015	<u>244</u>	STIPULATION AND ORDER OF SETTLEMENT OF ATTORNEY'S FEES, COSTS, AND DISBURSEMENTS: IT IS HEREBY STIPULATED AND ORDERED: 1. The State of New York, on behalf of State Defendants, shall pay the gross sum of one hundred eighty thousand dollars and no cents (\$180,000.00) ("State Fee Payment") to Class Counsel, and Class Plaintiffs and Class Counsel agree to accept the State Fee Payment in full satisfaction of all claims against State Defendants for attorney's fees, costs, and disbursements that have been or will be incurred in connection with this action as further set forth in this order. 3. The City of New York, on behalf of City Defendants, shall pay the gross sum of two hundred seventy thousand dollars and no cents (\$270,000.00) ("City Fee Payment") to Class Counsel, and Class Plaintiffs and Class Counsel agree to accept the City Fee Payment in full satisfaction of all claims against City Defendants for attorney's fees, costs, and disbursements that have been or will be incurred in connection with this action as further set forth in this order. 11. In consideration of the payment of the State Fee Payment and the City Fee Payment, Class Plaintiffs and Class Counsel, the Legal Aid Society and Gibson Dunn & Crutcher, LLP, on their own behalf and on behalf of their respective heirs, executors, administrators, representatives, attorneys, successors, and assigns of each of themselves and on behalf of future Class Plaintiffs hereby jointly and severally release and forever discharge State Defendants, the State of New York, City Defendants, and the City of New York, including without limitation their past, present and future officials, employees, departments, agencies, representatives, directors and agents, their successors and assigns and their respective heirs, executors, administrators, personal representatives, and transferees, and each of them from any and all claims for past, present, or future attorney's fees, costs, and disbursements arising from or in connection with the above-captioned action as further set forth in this order. (Signed by Judge Katherine B. Forrest on 12/28/2015) (lmb) (Entered: 12/28/2015)
12/28/2015		Terminate Transcript Deadlines (lmb) (Entered: 12/28/2015)
05/09/2016	<u>245</u>	CONSENT LETTER addressed to Judge Katherine B. Forrest from Thomas B. Roberts dated May 9, 2016 re: Notification to the Court pursuant to Paragraph 10 of the judgment that the City Defendants have convened a Disability Advisory Community Panel. Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Roberts, Thomas) (Entered: 05/09/2016)
08/08/2016	<u>246</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – JOINT MOTION to Approve termination of the Court's jurisdiction over the settlement <i>as of August 6, 2016</i> . Document filed by Robert Doar, The New York City Human Rights Resources Administration.(Roberts, Thomas) Modified on 8/18/2016 (ldi). (Entered: 08/08/2016)
08/09/2016	<u>247</u>	ORDER granting <u>246</u> Motion to Approve termination of the Court's jurisdiction over the settlement as of August 6, 2016. SO ORDERED. (Signed by Judge Katherine B. Forrest on 8/9/2016) (mro) (Entered: 08/10/2016)