

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:97-cv-03918-LTS-HBP

Blatch, et al v. Franco, et al
Assigned to: Judge Laura Taylor Swain
Referred to: Magistrate Judge Henry B. Pitman
Magistrate Judge Henry B. Pitman (Settlement)
Demand: \$0
Related Case: [1:99-cv-09712-DC](#)
Cause: 42:1983 Civil Rights Act

Date Filed: 05/29/1997
Date Terminated: 12/16/2008
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Kelvin Blatch

By his Next Friend Robert Clay

represented by **Elisabeth Ryden Benjamin**
Community Service Society
633 Third Avenue
New York, NY 10017
(212)-614-5461
Fax: (212)-614-5461
Email: ebenjamin@cssny.org
LEAD ATTORNEY

Plaintiff

Kenneth Blatch

By his Next Friend Wilhelmina Peay

represented by **Elisabeth Ryden Benjamin**
(See above for address)
LEAD ATTORNEY

Ronald J. Tabak

4 Times Square
40th floor
New York, NY 10036-6522
212-735-2226
LEAD ATTORNEY

V.

Defendant

John G. Martinez

*as Chairman of the New York City Housing
Authority*

represented by **Mario Gerard Frangiose**
New York City Law Depart. Office of the
Corporation Counsel
100 Church Street
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Defendant

Stuart G. Laurence

represented by **Mario Gerard Frangiose**

as Hearing Officer for the New York City
Housing Authority

(See above for address)
LEAD ATTORNEY

Defendant

The New York City Housing Authority

represented by **Joan Rowena Pannell**
75 Park Place
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ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Olga Alsa

Intervenor Plaintiff

Julia Gottlieb

represented by **Elisabeth Ryden Benjamin**
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LEAD ATTORNEY

Intervenor Plaintiff

Erica Mortimor

represented by **Elisabeth Ryden Benjamin**
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Intervenor Plaintiff

Flora Cruz

represented by **Elisabeth Ryden Benjamin**
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LEAD ATTORNEY

Movant

Peggy O'Neill Morton
by her proposed *Guardina Ad Litem*
Marcela Silverman

represented by **Elisabeth Ryden Benjamin**
(See above for address)
LEAD ATTORNEY

Movant

Natalie Jenkins

represented by **Elisabeth Ryden Benjamin**
(See above for address)
LEAD ATTORNEY

Movant

Mark Bryer
by thier proposed Guardian Ad Litem
Leonard Herbst

represented by **Elisabeth Ryden Benjamin**
 (See above for address)
LEAD ATTORNEY

Movant

Louise Smalls

represented by **Elisabeth Ryden Benjamin**
 (See above for address)
LEAD ATTORNEY

Movant

Luis Baldomero Perez
by their proposed Gurardina Ad Litem Paul
Dlanoky

represented by **Elisabeth Ryden Benjamin**
 (See above for address)
LEAD ATTORNEY

Date Filed	#	Docket Text
05/29/1997	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$ -IFP- (sac) (Entered: 05/30/1997)
05/29/1997		Magistrate Judge Pitman is so Designated. (sac) (Entered: 05/30/1997)
05/29/1997	2	COPY OF ORIGINAL ORDER, to proceed in forma pauperis (signed by Part 1 Judge Miriam G. Cedarbaum); Copies mailed(sac) Modified on 05/30/1997 (Entered: 05/30/1997)
05/29/1997	3	Ex Parte Order filed pursuant to 28 U.S.C. S 1915 permitting plaintiffs to proceed in forma pauperis, w/out payment of fees or costs or giving security for them. (signed by Judge Miriam G. Cedarbaum Part I) (ae) (Entered: 06/02/1997)
05/29/1997	4	RETURN OF SERVICE of summons and complaint executed as to The New York City by upon (Jeffrey Schanback, Esq., defendant on 5/29/97. Answer due on 6/18/97 for The New York City (djc) (Entered: 06/03/1997)
06/10/1997	5	NOTICE of attorney appearance for Kenneth Blatch by Ronald J. Tabak (djc) (Entered: 06/11/1997)
06/25/1997	6	STIPULATION and ORDER, reset answer due for 7/14/97 for The New York City, for Stuart G. Laurence, and for Ruben Franco ; until disposition of this proceeding, defendants will mark off calendar, within two business days of the signing of this stipulation, the holdover proceeding in NY County Housing Court against plaintiffs, so long as plaintiffs remain current in payment of use and occupancy and otherwise abide by tenant rules and regulations; nothing herein shall be deemed an agreement to a judicial stay; NYC Housing Authority may treat plaintiffs as tenants for all purposes without prejudice (signed by Judge Denny Chin) (kw) (Entered: 06/27/1997)
07/14/1997	7	ANSWER to Complaint by The New York City (Attorney Joan Rowena Pannell) (ae) (Entered: 07/16/1997)
01/16/1998	8	Filed Memo-Endorsement on letter by Elisabeth Benjamin to Judge Chin dated 1/14/98, approving plaintiffs' request for an extension of time to intervene the Proposed Plaintiff-Intervenors in this action until 2/17/98 (signed by Judge Denny Chin) (ae) (Entered: 01/20/1998)
02/17/1998	9	NOTICE OF MOTION by proposed plaintiff-intervenors Julia Gottlieb, Erica Mortimor and Flora Cruz; for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action ; for an order,

		pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action ; for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint , Return date 3/10/98; with Declaration in support attached. (ae) (Entered: 02/20/1998)
02/17/1998	10	MEMORANDUM OF LAW by Julia Gottlieb, Erica Mortimor, Flora Cruz in support of [9-1] motion for an order, pursuant to Rule of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action; [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad for the purposes of this action; [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (ae) (Entered: 02/20/1998)
03/10/1998	11	Filed Memo-Endorsement on letter by Joan Pannell to Judge Chin dated 3/5/98, approving defendants' request permitting them until 3/10/98, to serve and file any opposing papers to plaintiffs' motion and any reply papers by plaintiffs due by 3/18/98 (signed by Judge Denny Chin) (ae) (Entered: 03/11/1998)
03/10/1998	12	Filed Memo Endorsement on letter to Judge Chin from Elisabeth Benjamin, dated 3/3/98, reset discovery due for 5/1/98 (signed by Judge Denny Chin) (cd) (Entered: 03/11/1998)
03/10/1998	13	MEMORANDUM OF POINTS AND AUTHORITIES by Ruben Franco, Stuart G. Laurence, The New York City in opposition to [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action; [9-2] motion for an order, pursuant to Rule 17(c) the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action; [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Complaint as an amended complaint (filed in the night deposit on 3/10/98 at 5:21 p.m.) (ae) (Entered: 03/12/1998)
03/10/1998	14	DECLARATION of Joan Pannell by Ruben Franco, Stuart G. Laurence, The New York City in opposition to [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action; [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action; [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (filed in the night deposit on 3/10/98 at 5:21 p.m.) (ae) (Entered: 03/12/1998)
03/10/1998	15	DECLARATION of Alan Pelikow by Ruben Franco, Stuart G. Laurence, The New York City in opposition to [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action; [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action; [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (filed in the night deposit on 3/10/98 at 5:21 p.m.) (ae) (Entered: 03/12/1998)
03/10/1998	16	AFFIDAVIT in opposition of Dennis J. Ng by Ruben Franco, Stuart G. Laurence, The New York City Re: [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action; [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action; [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (filed in the night deposit on 3/10/98 at 5:21 p.m.) (ae) (Entered: 03/12/1998)

03/10/1998	17	AFFIDAVIT in opposition of Surendra Bhatt by Ruben Franco, Stuart G. Laurence, The New York City Re: [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action; [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action; [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (filed in the night deposit on 3/10/98 at 5:21 p.m.) (ae) (Entered: 03/12/1998)
03/10/1998	18	AFFIDAVIT in opposition of Todd Hyman by Ruben Franco, Stuart G. Laurence, The New York City Re: [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action; [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action, [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (filed in the night deposit on 3/10/98 at 5:21 p.m.) (ae) (Entered: 03/12/1998)
03/10/1998	19	AFFIDAVIT in opposition of Evelyn Witt by Ruben Franco, Stuart G. Laurence, The New York City Re: [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action; [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action; [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (filed in the night deposit on 3/10/98 at 5:21 p.m.) (ae) (Entered: 03/12/1998)
03/17/1998	20	MEMORANDUM by The New York City in opposition to [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action (cd) (Entered: 03/20/1998)
03/17/1998	21	DECLARATION, of Alan Pelikow in opposition by The New York City [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action (cd) (Entered: 03/20/1998)
03/18/1998	22	REPLY MEMORANDUM by Kelvin Blatch, Kenneth Blatch re: in support of [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action, [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action, [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (sac) (Entered: 03/20/1998)
03/18/1998	23	SUPPLEMENTAL DECLARATION of Elisabeth R. Benjamin in support by Kelvin Blatch, Kenneth Blatch [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action, [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action, [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (sac) (Entered: 03/20/1998)
04/01/1998	24	Filed Memo-Endorsement on letter by Joan Pannell to Judge Chin dated 3/17/98, granting defendants' request for permission to serve and file a corrected copy of their Memorandum in opposition to the motion for intervention et al. scheduled for submission on 3/18/98 (signed by Judge Denny Chin) (ae) (Entered: 04/02/1998)
04/01/1998	25	Filed Memo-Endorsement on letter addressed to Judge Chin from Joan Pannell, dated

		3/10/98; counsel writes to inform the Court that, by clerical error, a page is missing from the papers defts served and filed on 3/10/98 in opposition to plttfs' motion for intervention. Counsel requests that the missing page be deemed incorporated in Exhibit C of the copy of the Declaration of Alan Pelikow served on 3/10/98 and that they be permitted to file prior to 3/18/98 a complete Pelikow affidavit. So ordered (signed by Judge Denny Chin) (emil) (Entered: 04/02/1998)
04/27/1998	26	Filed Memo-Endorsement on letter to Judge Chin from Elisabeth Benjamin dated 4/14/98; reset pretrial conference for 10:30 a.m. on 7/10/98 ; (signed by Judge Denny Chin) (ls) Modified on 04/28/1998 (Entered: 04/27/1998)
05/26/1998		Memo endorsed on motion, docmt #9; granting (in all respects per Memorandum Decision dated 05/22/98), [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action, granting [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the of this action, granting [9-3] motion for an order, to Rule 15(a) of the FRCP, permitting the service and of the Proposed Intervenor Complaint as an amended complaint (signed by Judge Denny Chin); Copies mailed. (djc) Modified on 05/28/1998 (Entered: 05/27/1998)
05/26/1998	27	MEMORANDUM DECISION/ORDER, proposed plaintiffs-intervenors' motion to intervene is granted; the named plaintiffs' motion to amend the complaint to add the claims of proposed plaintiffs-intervenors is granted; the motion to appoint Karla Sanchez as Gottlieb's guardian ad litem is also granted (signed by Judge Denny Chin); Copies mailed (kw) (Entered: 05/28/1998)
06/05/1998	28	AMENDED COMPLAINT by Kelvin Blatch, Kenneth Blatch, Julia Gottlieb, Erica Mortimor, Flora Cruz (Answer due 6/18/98 for The New York City, for Stuart G. Laurence, for Ruben Franco) amending [1-1] complaint; Summons issued. (sac) (Entered: 06/08/1998)
06/11/1998	29	Filed Memo-Endorsement on letter to Judge Chin from Elisabeth Benjamin dated 06/05/98, status conference for 7/10/98 ; reset answer to amended complaint due for 7/20/98 for The New York City, for Stuart G. Laurence, for Ruben Franco ; the parties' current moratorium on discovery is extended through 07/20/98 (signed by Judge Denny Chin) (djc) (Entered: 06/12/1998)
06/11/1998	30	ORDER, pursuant to this Court's Memorandum Decision, dated 5/22/98, it is ordered that Karla Sanchez, an attorney associated with the law firm of Paterson, Belknap, Webb & Tyler LLP, is hereby appointed as Guardian Ad Litem for Plaintiff Julia Gottlieb (signed by Judge Denny Chin); Copies mailed (ae) (Entered: 06/12/1998)
07/10/1998	31	NOTICE OF MOTION to intervene, amend, certify a class and appoint Guardians Ad Litem by Peggy O'Neill Morton, Natalie Jenkins, Mark Bryer, Louise Smalls, Luis Baldomero Perez , Return date 8/5/98 (cd) (Entered: 07/13/1998)
07/10/1998	32	MEMORANDUM by Peggy O'Neill Morton, Natalie Jenkins, Mark Bryer, Louise Smalls, Luis Baldomero Perez in support of [31-1] motion to intervene, amend, certify a class and appoint Guardians Ad Litem by Peggy O'Neill Morton, Natalie Jenkins, Mark Bryer, Louise Smalls, Luis Baldomero Perez (cd) (Entered: 07/13/1998)
02/09/1999		Terminated document 31-1 pursuant to instructions of Judge Chin. (rag) (Entered: 02/16/1999)
03/03/1999	33	DECLARATION, of Linda Johnson in support by Kelvin Blatch, Kenneth Blatch [31-1] motion to intervene, amend, certify a class and appoint Guardians Ad Litem by Peggy O'Neill Morton, Natalie Jenkins, Mark Bryer, Louise Smalls, Luis Baldomero Perez (cd) (Entered: 03/03/1999)

05/04/1999	34	NOTICE OF CROSS MOTION by Ruben Franco, Stuart G. Laurence, The New York City to dismiss the Amended Complaint ; for summary judgment purs. to FRCP 56(b) , Return date not indicated; attached is a rule 56.1 statement and other supporting papers (cd) (Entered: 05/05/1999)
05/04/1999	35	MEMORANDUM by Ruben Franco, Stuart G. Laurence, The New York City in support of [34-1] cross motion to dismiss the Amended Complaint, [34-2] cross motion for summary judgment purs. to FRCP 56(b) (cd) (Entered: 05/05/1999)
05/10/1999	36	Filed Memo-Endorsement on letter addressed to Judge Chin from Elisabeth Benjamin, dated 5/4/99; counsel for the plttfs' write to request that the Court Strike the defts' motions to dismiss and for summary judgment, or, in the alternative, they request these motions be held in abeyance until plttfs' have an opportunity to conclude discovery. The Court has received this letter as well as NYCHA's response. Pltff's request that the Court strike NYCHA's motions to dismiss & for summary judgment is DENIED, but plttfs need not respond pending further order of the Court. NYCHA's request for a stay of discovery is denied (signed by Judge Denny Chin) (jp) (Entered: 05/11/1999)
05/13/1999	37	REPLY MEMORANDUM by Kelvin Blatch, Kenneth Blatch, Julia Gottlieb, Erica Mortimor, Flora Cruz, Peggy O'Neill Morton, Natalie Jenkins, Mark Bryer, Louise Smalls, Luis Baldomero Perez re: [31-1] motion to intervene, amend, certify a class and appoint Guardians Ad Litem by Peggy O'Neill Morton, Natalie Jenkins, Mark Bryer, Louise Smalls, Luis Baldomero Perez, [9-1] motion for an order, pursuant to Rule 24(b) of the FRCP, permitting Julia Gottlieb, Erica Mortimor, Flora Cruz to intervene as plaintiffs in this action, [9-2] motion for an order, pursuant to Rule 17(c) of the FRCP, appointing Karla Sanchez as Ms. Gottlieb's Guardian Ad Litem for the purposes of this action, [9-3] motion for an order, pursuant to Rule 15(a) of the FRCP, permitting the service and filing of the Proposed Intervenor Complaint as an amended complaint (ls) (Entered: 05/14/1999)
09/20/1999	38	Filed Memo-Endorsement on letter addressed to Judge Chin from Elisabeth Benjamin, dated 9/15/99, granting plaintiff's request on behalf of all parties that Your Honor extend discovery for 60 days to 12/15/99 ; The parties would like to maintain our existing pretrial conference date of 10/15/99 at 10:00am (signed by Judge Denny Chin); Copies mailed. (ri) (Entered: 09/21/1999)
12/02/1999	40	ORDER; plttfs' motion for an order (1) permitting the proposed plttfs-intervenors to intervene in the action, (2) certifying the case as a class action, and (3) appointing guardians ad litem for the proposed plttfs-intervenors is granted in all respects ; on or before 12/22/99, plttfs shall serve and file an amended complaint, which shall include claims on behalf of the plttfs-intervenors as well as the class certified in this document. (signed by Judge Denny Chin); Copies mailed. (sac) Modified on 12/08/1999 (Entered: 12/06/1999)
12/03/1999	39	Transcript of record of proceedings before Judge Denny Chin for the date(s) of 10/25/99. (sl) (Entered: 12/03/1999)
12/22/1999	41	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for general pretrial/after initial case management conference held by District Judge. (signed by Judge Denny Chin) Referred to Magistrate Judge Henry B. Pitman. (sn) (Entered: 12/28/1999)
12/27/1999	42	Memo-Endorsement on letter addressed to Mag. Judge Pitman from Elisabeth Benjamin, dated 12/2/99; reset discovery due for 2/29/00 . (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (pl) (Entered: 12/28/1999)
01/04/2000	43	ORDER, for the reasons set forth in the Court's Order dated 12/1/99, Olga Alsa may

		intervene in this action as a plttf, by her Next Friend Vanessa Clark . Claims on Ms. Alsaas behalf may be included in the amended complaint, which plttfs shall file by 1/18/00 . (signed by Judge Denny Chin); Copies mailed. (sn) (Entered: 01/05/2000)
01/12/2000	44	NOTICE of Change of Address for Ronald Tabak attorney for Kelvin Blatch (indicated on the system) (cd) (Entered: 01/13/2000)
01/18/2000	45	STIPULATION and PROTECTIVE ORDER, regarding the procedures that will govern the handling of "Confidential Materials" . (signed by Magistrate Judge Henry B. Pitman) (ri) (Entered: 01/19/2000)
02/03/2000	46	ORDER, denying [34-1] cross motion to dismiss the Amended Complaint, denying [34-2] cross motion for summary judgment purs. to FRCP 56(b), without prejudice to renewal following the completion of discovery. Before making any such renewed motion for summary judgment, however, defendants will write the Court to request a pre-motion conference. (signed by Judge Denny Chin); Copies mailed. (ri) (Entered: 02/03/2000)
02/29/2000	47	Memo-Endorsement on letter addressed to Magistrate Judge Pitman from Mario G. Frangiose, dated 2/24/00; counsel for the parties write to request that the deadline for completion of discovery in this matter be extended. Discovery is extended to 4/14/00. No further extensions except for good cause shown by affidavit . (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (jp) (Entered: 03/01/2000)
03/01/2000	48	ANSWER to Amended Complaint by Ruben Franco, Stuart G. Laurence, The New York City (Attorney Mario Gerald Frangiose from the Firm: Jeffrey Schanback) (ls) (Entered: 03/02/2000)
03/20/2000	49	AMENDED CLASS ACTION COMPLAINT by Kelvin Blatch, Kenneth Blatch; (Answer due 4/3/00 for The New York City, for Stuart G. Laurence, for John G. Martinez); amending [28-1] amended complaint; Summons issued. (pl) (Entered: 03/21/2000)
03/23/2000	50	STIPULATION and PROTECTIVE ORDER; regarding procedures to be followed that shall govern the handling of confidential materials . (signed by Magistrate Judge Henry B. Pitman) (jp) (Entered: 03/24/2000)
04/17/2000	51	ORDER, that no later than 4/24/00, all plaintiffs other than Ms. Alsaas are to provide counsel for defendants with executed releases authorizing the release of all medical records and all Social Security records ; If defendant subsequently receive any medical or Social Security records pursuant to these releases, they are to be treated as confidential documents under the terms of the Protective Order entered herein, copies shall be promptly provided to counsel for plaintiffs ; For all plaintiffs other than Ms. Alsaas, discovery is extended for all purposes until 7/24/00 If defendants seek to take a Rule 35 examination of any plaintiff, it shall serve a notice in conformity with the requirements of Rule 35 ; All Rule 35 examinations shall be tape recorded. Copies of the recordings shall be provided to plaintiffs' counsel; Defendant's expert, Dr. Goldstein, is entitled to a reasonable fee for the time spent testifying in response to plaintiffs' deposition notice, time preparing for the deposition and time traveling to and from the location of the deposition as set forth in this Order; Plaintiffs shall make their 26(a)(2) disclosure no later than 6/26/00. Plaintiffs shall make their expert(s) available for deposition no later than 7/24/00; Defendants shall make their 26(a)(2) discovery available no later than 7/24/00. Defendants shall make their expert(s) available for deposition no later than 9/11/00 ; Dispositive motions, if any shall be served and filed no later than 10/11/00 ; The Pretrial Order in the form required by Judge Chin's rules, along with all other materials required by Judge Chin, shall be filed no later than 11/13/00. Plaintiffs shall serve a draft of their portion of the Pretrial Order no later than 15 days before the date on which the Pretrial Order is due. If a dispositive motion is made, the Pretrial Order shall be due 30 day after the decision on any dispositive motion, if it is still necessary . (signed by Magistrate

		Judge Henry B. Pitman); Copies mailed. (ri) Modified on 04/18/2000 (Entered: 04/18/2000)
04/17/2000	52	ORDER, that Olga Alsaas shall appear for a deposition and Rule 35 Mental Examination to be held after her release from such facility within 10 business days of the date that her treating psychiatrist determines that undertaking such an examination would not be deleterious to her mental condition, and so long as her release is prior to the close of discovery, 7/24/00 and provided ; That the Rule 35 Mental Examination shall be conducted by Dr. Robert L. Goldstein, M.D. and that such examination shall include an in-depth oral psychiatric history, general medical history and mental status evaluation as set forth in this Order; That defendants' counsel shall provide to plaintiffs' counsel a Rule 35 Mental Examination Report immediately upon completion, but in no event later than 7/29/00 ; That plaintiffs' counsel will keep defendants counsel informed of Ms. Alsaas' status with regard to her hospitalization so that the deposition and Rule 35 Mental Examination may be scheduled as practicable . (Signed by Magistrate Judge Henry B. Pitman); Copies mailed. (ri) (Entered: 04/18/2000)
05/04/2000	53	PROTECTIVE ORDER; regarding procedures that will govern the handling of "confidential information" ; (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (ls) (Entered: 05/05/2000)
05/08/2000	54	PROTECTIVE ORDER; regarding procedures that will govern the handling of "Confidential Information" . (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (sn) (Entered: 05/09/2000)
06/16/2000	55	Memo-Endorsement on letter addressed to Magistrate Judge Pitman from Elisabeth Benjamin, dated 6/12/00. Re: plaintiff requests that all expert reports by both parties be filed simultaneously on 7/24/00; Denied. Plaintiffs' expert should already have all pertinent information regarding plaintiff's medical condition . (signed by Magistrate Judge Henry B. Pitman); Copies (ri) Modified on 06/21/2000 (Entered: 06/20/2000)
06/26/2000	56	Dr. Hauptman Expert Report - Volume 1 (djc) (Entered: 06/27/2000)
07/17/2000	57	ORDER; No later than 20 days from the date of this Order, defendants shall produce all documents as stated in this Order ; No later than July 19, 2000, defendants' counsel shall report to the court concerning whether the defendants' Project Information Management System is searchable for tenants with mental disabilities. Plaintiffs' motion to compel a response to Item 10 of their fourth Request for Production of Documents is adjourned pending defendants' report concerning this matter ; Plaintiffs' motion to compel production in response to Item 16 of their Fifth Request for Production of Documents is denied without prejudice. Defendants' motion to compel production in response to Item 14 of their Fifth Request for Production of Documents is denied; Plaintiff's motion to compel production in response to Item 5 of their Fifth Request for Production of Documents is denied; Defendants' motion to compel with respect to the subpoenas served for Social Security records is denied ; Plaintiffs' motion for sanctions in connection with Dr. Goldstein's questionin of plaintiffs is denied ; (signed by Magistrate Judge Henry B. Pitman); Copies (djc) (Entered: 07/17/2000)
07/19/2000	58	ORDER; Plaintiffs shall make their expert witnesses available for a deposition no later than 09/12/00. If plaintiffs seek to supplement the expert discovery they have previously provided, they must do so prior to the depositions of their experts ; Defendants shall produce their Rule 26(a)(2) discovery no later than 10/12/00 ; Defendants shall make their expert available for a deposition no later than 10/31/00 ; The date for the submission of dispositive motions is extended to 11/30/00 ; The Pretrial Order in the form required by Judge Chin's rules, along with all other materials required by Judge Chin, shall be filed no later than 12/29/00. Plaintiffs shall serve a draft of their portion of the Pretrial Order no later than fifteen days before the date on which the Pretrial Order is due. If a dispositive

		motion is made, the Pretrial Order shall be due thirty days after the decision on any dispositive motion, if it is still necessary ; (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (djc) (Entered: 07/20/2000)
07/24/2000	59	ORDER; it is hereby ordered purs. to F.R.C.P. 17(c) that the Aunt, Representative-Payee and Next Friend in this action for Named Pltff Kenneth Blatch, Wilhelmina Peay, who resides at 3701 16th Street, Apartment #300, Washington, D.C. 20010, is appointed as Guardian Ad Litem for Named Pltff Kenneth Blatch ; (signed by Judge Denny Chin); Copies mailed. (lf) (Entered: 07/24/2000)
08/09/2000	60	Memo-Endorsement on letter addressed to Mag. Judge Pitman from Mario G. Frangiose, dated 7/18/00. Re: Counsel for defts request that plttfs' motion to compel be denied. No later than 20 days from the date of this Order, the NYCHA is to provide to plttf's counsel a list of all housing authority tenants who claim to have a mental disability. The information is relevant to the identity and number of class members. In addition, N.Y. Pub. Housing L. Sec. 159 expressly provides that its limitations on the disclosure of information do not apply in actions, such as this one, in which the NYCHA is a party. Thus, Sec. 159 does not protect the information . The information produced purs. to this Order shall be deemed "Confidential" and subject to the terms of the Protective Order previously entered herein . (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (sn) (Entered: 08/10/2000)
08/22/2000	62	ORDER; that pursuant to Rule 35 of the F.R.C.P. and this Court's Order of 4/28/00, defendants, by their retained expert Robert L. Goldstein M.D., shall conduct a mental examination of Plaintiff Perez on a date & time to be mutually accepted upon at the offices of The Legal Aid Society, 90 Church Street - 14th, N.Y.C., 10007. The manner and scope of the examination will be as set forth in this Order . (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (pl) (Entered: 08/23/2000)
08/22/2000	61	ORDER TO TAKE MENTAL EXAMINATION OF PLTFFS; purs. to Rule 35 of the FRCP and this Court's Order of 4/28/00, deft, by their retained expert Robert L. Goldstein, M.D., shall conduct a mental examination of plttf Natalie Jenkins on a date & time to be set. In light of Mr. Jenkins' psychiatric condition, there is no basis to constitute that his prior condition was voluntary. (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (sac) (Entered: 08/24/2000)
08/30/2000	63	ORDER; regarding procedures that will govern the handling of "Confidential Information" . (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (pl) (Entered: 08/30/2000)
09/05/2000	64	Notice of reassignment to Judge Laura T. Swain. Copy of notice mailed to Attorney(s) of record: Elisabeth Ryden Benjamin, Ronald J. Tabak. (em) (Entered: 09/07/2000)
09/11/2000	65	DECLARATION of Philip J. Hauptman by Kelvin Blatch, Kenneth Blatch. (jp) (Entered: 09/12/2000)
09/18/2000	66	Memo-Endorsement on letter addressed to Judge Chin from Elisabeth Benjamin, Samuel Davol, (date not indicated). Re: For the reasons indicated herein, in light of the recent reassignment of this case, plttfs request that your Honor retain jurisdiction over this case. This case has already been reassigned. I contrue this request as a request for rescission of the reassignment. The request is denied . (signed by Judge Denny Chin); Copies mailed. (sn) (Entered: 09/20/2000)
10/03/2000		Notice of reassignment mailed to Elisabeth Ryden Benjamin returned. Moved not forwardable. (bm) (Entered: 10/04/2000)
10/13/2000	67	Expert Report of Dr. Robert L. Goldstein. (Received in the night deposit box on 10/13/00 at 5:05 p.m.) (kw) (Entered: 10/16/2000)

10/19/2000	68	ORDER, set pre-trial conference for 10:00 a.m. on 1/5/01. Counsel shall meet prior to the conference to discuss the matters as set forth in this order. The counsel who plan to try the case must appear at such conference. Counsel attending the conference shall seek settlement authority from their respective clients prior to such conference. If counsel is not granted such authority, the client must be present in person or available by telephone so that a settlement can be consummated if possible . (signed by Judge Laura T. Swain); Copies mailed. (kw) Modified on 10/24/2000 (Entered: 10/20/2000)
11/27/2000	69	ORDER, except for Housing Court documents, defts are directed to comply fully with my 7/14/00 Order no later than 12/8/00. All Housing Court documents which defts were directed to produce in my 7/14/00 Order shall be produced no later than 7/15/00. Since defts are already more than four months in default, further extensions shall not be granted. If defts fail to comply fully with the dates set forth above, appropriate sanctions, which may include a recommendation that a default judgment be entered, will be imposed. Subject to revision by Judge Swain, dispositive motions shall be served and briefed as follows: deftss shall serve their motion for summary judgment no later than 12/15/00; pltffs shall serve their opposition to defts' motion for summary judgment and their cross-motion for summary judgment no later than 2/13/01; defts shall serve their reply in further support of their motion for summary judgment and their opposition to pltffs' motion for summary judgment no later than 4/16/01; pltffs shall serve their reply in support of their cross-motion for summary judgment no later than 5/16/01. The continuation of Dr. Goldstein's deposition shall be limited to 4 hrs. The parties shall submit letter briefs concerning the Jenkins discovery dispute in accordance with the following schedule: pltffs shall serve their initial letter by 11/26/00; defts shall serve their opposing letter by 12/5/00; pltffs shall serve their reply by 12/12/00. (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (sac) (Entered: 11/28/2000)
12/15/2000	70	Memo-Endorsement on letter addressed to Judge Swain from Mario G. Frangiose, dated 12/14/00. Re: defendants requests premission to exceed the 25 page limitation with respect to their memorandum of law in support of their motion for summary judgment; the memorandum shall not exceed 35 pages . (signed by Judge Laura T. Swain); Copies mailed. (pl) (Entered: 12/18/2000)
12/15/2000	71	NOTICE OF MOTION by John G. Martinez, Stuart G. Laurence, The New York City for summary judgment dismissing the amended class action complaint purs to FRCP 56(b) . With Report of Dr. Robert L. Goldstein, copies of declarations and affidavits in support of Saul Mackler, Paul T. Graziano, Nora Reissig-Lazzaro, Karen Constant, Myrna Bolanos, Todd Hyman, Evelyn Witt, Marc Friedman, Abraham Arackathara, Sheila Rhett, Jacqueline Hipps, Ynomia Cruz, May Wong and Eddie Emerice attached (the originals of which previously have been filed). Return date not indicated. (filed in night deposit on 12/15/00 @5:03pm) (lam) (Entered: 12/19/2000)
12/15/2000	72	MEMORANDUM OF LAW by Kenneth Blatch, John G. Martinez, Stuart G. Laurence, The New York City in support of [71-1] motion for summary judgment dismissing the amended class action complaint purs to FRCP 56(b) . (lam) (Entered: 12/19/2000)
01/05/2001		Pretrial Conference held before Judge Laura T. Swain . (lam) (Entered: 01/09/2001)
02/07/2001	73	Memo-Endorsement on letter addressed to Mag. Judge Pitman from Elisabeth Benjamin, dated 1/26/01; approving the schedule in this endorsed letter submitted by all the parties as follows; plaintiffs' response to motion reset to 2/27/01 for [71-1] motion for summary judgment dismissing the amended class action complaint purs to FRCP 56(b) ; defendants' reply to response to motion reset to 5/14/01 for [71-1] motion for summary judgment dismissing the amended class action complaint purs to FRCP 56(b) ; plaintiff shall file their cross motion for summary judgment no later than 2/27/01; defendants shall file their opposition to plaintiffs' motion for summary judgment no later than 5/14/01;

		plaintiffs shall serve their reply in support of their cross-motion for summary judgment no later than 6/14/01 . (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (ae) (Entered: 02/07/2001)
02/28/2001	74	NOTICE OF CROSS MOTION by Kelvin Blatch, Kenneth Blatch, Julia Gottlieb, Erica Mortimor, Flora Cruz, Olga Alsa; for an Order, purs. to Rule 56 of the FRCP, granting summary judgment to plttfs and the plttf class on the ground that there is no genuine issue as to any material fact and all plttfs and plttf class members are entitled to judgment as a matter of law ; Return date not indicated. Plttfs Rule 56.1 Statement, Declarations of Benjamin & Davol, as well as exhibits in support of motion attached. (jp) (Entered: 03/01/2001)
02/28/2001	75	MEMORANDUM OF LAW by Kelvin Blatch, Kenneth Blatch, Julia Gottlieb, Erica Mortimor, Flora Cruz, Olga Alsa in support of [74-1] cross motion for an Order, purs. to Rule 56 of the FRCP, granting summary judgment to plttfs and the plttf class on the ground that there is no genuine issue as to any material fact and all plttfs and plttf class members are entitled to judgment as a matter of law . (jp) (Entered: 03/01/2001)
02/28/2001	76	RULE 56.1 STATEMENT filed by Kelvin Blatch, Kenneth Blatch, Julia Gottlieb, Erica Mortimor, Flora Cruz, Olga Alsa (jp) (Entered: 03/01/2001)
02/28/2001	77	COUNTER STATEMENT TO RULE 56.1 filed by Kelvin Blatch, Kenneth Blatch, Julia Gottlieb, Erica Mortimor, Flora Cruz, Olga Alsa (jp) (Entered: 03/01/2001)
03/30/2001	78	REPORT AND RECOMMENDATIONS of Magistrate Judge Henry B. Pitman; Re: defendants oral application for sanctions be granted to the extent of striking Ms. Jenkins as a named plaintiff but permitting her to continue to participate in this action as an unnamed class member; Objections to R and R due by 4/13/01. (pl) (Entered: 04/13/2001)
04/11/2001	79	Letter filed by Kelvin Blatch, Kenneth Blatch addressed to Mag. Judge Pitman from Elisabeth Benjamin, dated 11/28/00, re: counsel for plttfs opposes defts' motion to dismiss Ms. Jenkins claims in this action because she is unable to participate in a Rule 35 mental examination. (Docket and file as per Chambers) (sn) (Entered: 04/16/2001)
04/11/2001	80	Letter filed by Kelvin Blatch, Kenneth Blatch addressed to Mag. Judge Pitman from Elisabeth Benjamin, dated 12/12/00, re: plttfs' counsel writes in reply to defts' letter of 12/5/00 in support of their motion to dismiss Ms. Jenkins from this action. (Docket and file as per Chambers) (sn) (Entered: 04/16/2001)
04/11/2001	81	Letter filed by The New York City addressed to Mag. Judge Pitman from Mario G. Frangiose, Sonya M. Kaloyanides, dated 12/5/00, re: counsel for deft Housing Authority requests that the Court issue an order dismissing Natalie Jenkins as a named plttf and that plttfs be precluded from introducing any evidence with respect to her. (Docket and file as per Chambers) (sn) (Entered: 04/16/2001)
05/08/2001	82	Memo-Endorsement on letter addressed to Mag. Judge Pitman from Mario G. Frangiose, dated 5/3/01; Defendants' reply to response to motion reset to 5/21/01 for [71-1] motion for summary judgment dismissing the amended class action complaint purs to FRCP 56(b) ; Plaintiff's reply to response to motion reset to 6/21/01 for [74-1] cross motion for an Order, to Rule 56 of the FRCP, granting summary judgment to plttfs and the plttf class on the ground that there is no genuine issue as to any material fact and all plttfs and plttf members are entitled to judgment as a matter of law ; this schedule preserves the interval set in my 1/29/01 order. No further extensions except for unforeseen, extraordinary cause shown by affidavit . signed by Magistrate Judge Henry B. Pitman); Copies Mailed (ae) (Entered: 05/10/2001)
05/22/2001	83	SEALED DOCUMENT placed in vault. (rp) (Entered: 05/23/2001)

06/21/2001	84	SEALED DOCUMENT placed in vault. (rp) (Entered: 06/21/2001)
06/21/2001	85	DECLARATION of Robert L. Losey by Kelvin Blatch, Kenneth Blatch, Julia Gottlieb, Erica Mortimor, Flora Cruz, Olga Alsaas in support of [74-1] cross motion for an Order, purs. to Rule 56 of the FRCP, granting summary judgment to plttfs and the plttf class on the ground that there is no genuine issue as to any material fact and all plttfs and plttf class members are entitled to judgment as a matter of law. (sn) (Entered: 06/26/2001)
06/21/2001	86	REPLY MEMORANDUM by Kelvin Blatch, Kenneth Blatch, Julia Gottlieb, Erica Mortimor, Flora Cruz, Olga Alsaas in support of [74-1] cross motion for an Order, purs. to Rule 56 of the FRCP, granting summary judgment to plttfs and the plttf class on the ground that there is no genuine issue as to any material fact and all plttfs and plttf class members are entitled to judgment as a matter of law. (sn) (Entered: 06/26/2001)
03/05/2002	87	OPINION and ORDER #86651, that for the reasons stated herein, the Court adopts the R&R. Accordingly, defendants' application for sanctions is granted to the extent of striking Ms. Jenkins as a named plaintiff but permitting her to continue to participate in this action as an unnamed class member. (signed by Judge Laura T. Swain); Copies mailed. (tp) (Entered: 03/06/2002)
03/30/2005	88	MEMORANDUM AND OPINION #91426 that for the listed reasons the parties motions are granted in part and denied in part. The parties shall promptly make arrangements to meet with Mag Judge Pitman for negotiation of the injunction orders authorized by this Opinion and, to the extent further litigation is required, to address any outstanding pretrial management issues. (Signed by Judge Laura Taylor Swain on 3/30/05) copies sent by chambers.(cd,) (Entered: 04/01/2005)
04/15/2005	89	ORDER Pursuant to the last paragraph of Judge Swain's opinion, and order dated 3/30/2005, counsel for all parties are directed to submit letters to my chambers no later than April 12, 2005 identifying any issues that need to be resolved. (Signed by Judge Henry B. Pitman on 4/15/2005) copies mailed to counsel by chambers.(jsa,) (Entered: 04/18/2005)
04/27/2005	90	ENDORSED LETTER addressed to Magistrate Judge Henry Pitman from Judith Goldiner dated 4/12/05 re: requesting until the last week of May to report back to the Court the progress to identify any issues that need to be resolved. Application Granted. (Signed by Judge Henry B. Pitman on 4/13/05) (kw,) (Entered: 04/28/2005)
02/15/2006	91	ORDER that no later than 3/31/06, the parties are to submit a status report to my chambers identifying any issues that are still unresolved. (Signed by Judge Henry B. Pitman on 2/3/06) copies sent by chambers.(cd,) (Entered: 02/15/2006)
03/17/2006	92	ENDORSED LETTER addressed to Magistrate Judge Henry B. Pitman from Steven J. Rappaport dated 3/10/06 re: Application GRANTED. The status report is extended to 4/7/06. (Signed by Judge Henry B. Pitman on 3/15/06) (db,) (Entered: 03/17/2006)
03/17/2006		Set/Reset Deadlines: Status Report due by 4/7/2006. (db,) (Entered: 03/17/2006)
05/31/2006	93	DUPLICATE MINUTE ORDER PURSUANT TO MEMORANDUM FROM THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS, DATED JUNE 15TH, 1973....Case Closed administratively pursuant to Memorandum from the Administrative Office of the United States Courts dated June 15th, 1973.... (Signed by Judge Michael B. Mukasey on 5/31/06)(orig. entered in 76cv2125(RWS) as document # 363). (kco,) (Entered: 06/02/2006)
08/11/2008	94	ORDER PURSUANT TO RULE 23(e): It is hereby stipulated and agreed that by and between the plaintiffs and the Housing Authority that; (1) the Housing Authority shall give notice of the terms of the proposed settlement to the plaintiff class by placing a

		notice, attached as Exhibit B, on the Housing Authority website on or before 8/15/08 and in the Housing Authority Journal on or before 9/5/08 and, on or before 8/20/08, by sending a copy of the notice to every Housing Authority tenant who has a termination of tenancy proceeding or a remaining family member grievance currently pending. The Court will hold a hearing to consider the fairness and adequacy of the proposed settlement on 9/23/08 at 11am in Courtroom 17 C of the U.S. Courthouse at 500 Pearl Street, New York, NY 10007. Person who wish to present comments or objections to the settlement should do so in writing with an indication that the comments relate to Blatch v. Hernandez. Any written comments must be mailed so as to be received by 9/12/08. On or before 9/16/08, the parties will submit to the Court their responses to the comments received and their submissions in support of the fairness and adequacy of the settlement. Any class member who wishes to make an oral settlement regarding the fairness and adequacy of the settlement may appear in Court at the date and time of the fairness hearing and ask to be heard. (Signed by Judge Richard J. Sullivan on 8/11/08)- Part I (tro) (Entered: 08/11/2008)
08/11/2008		Set Deadlines/Hearings: Conference set for 9/23/2008 at 11:00 AM in Courtroom 17C, 500 Pearl Street, New York, NY 10007 before Judge Laura Taylor Swain. (tro) (Entered: 08/11/2008)
08/14/2008	95	CERTIFICATE OF SERVICE of Rule 23(e) Order served on Judith Goldiner and Robert Desir on 8/12/08. Service was made by facsimile. Document filed by The New York City Housing Authority. (dle) (Entered: 08/15/2008)
09/26/2008	96	LETTER addressed to Judge Laura Taylor Swain from Steven J. Rappaport dated 9/15/08 re: that pursuant to Rule 23(e)(1)(C) of the Federal Rules of Civil Procedure to ask that the Court approve the Stipulation of settlement of this entitled case submitted to the court on 8/1/08. (pl) (Entered: 09/29/2008)
09/26/2008	97	LETTER addressed to Judge Laura Taylor Swain from Judith A. Goldiner dated 9/16/08 re: that pursuant to Rule 23(e)(1)(C) of the Federal Rules of Civil Procedure to respectfully requests that this Court approve the Stipulation of settlement.(pl) (Entered: 09/29/2008)
10/10/2008	98	MEMORANDUM OPINION AND ORDER #96639: For the reasons set forth in this order, the court approves the stipulation of settlement insofar as it resolves the class claims. (Signed by Judge Laura Taylor Swain on 10/10/08) (mme) Modified on 10/14/2008 (mro). (Entered: 10/10/2008)
10/10/2008	99	STIPULATION AND ORDER OF SETTLEMENT, this action is discontinued with prejudice, except that (1) plaintiffs withdraw without prejudice their third cause of action insofar as it is unresolved by Judge Swain's decision with respect to summary judgment and by this Stipulation and (2) the Court retains jurisdiction to enforce the obligations created under this Stipulation. (Signed by Judge Laura Taylor Swain on 10/10/08) (cd) (Entered: 10/14/2008)
11/03/2008	100	AMENDED MEMORANDUM OPINION AND ORDER #96659: After careful review and consideration of the submissions and statements on the record and in light of the negotiation leading to and substantive terms of the settlement, the Court finds that the settlement is fair, reasonable and adequate. The settlement provides the class with very substantial and significant relief with respect to the core due process claims, including permanent injunctive relief and a role in the monitoring and implementation of new procedures over the next four years. The settlement also provides Plaintiffs with the opportunity to litigate the unresolved claims under the disability statutes. Thus, the Court APPROVES the Stipulation of Settlement insofar as it resolves the class claims. (Signed by Judge Laura Taylor Swain on 11/3/08) (tro) Modified on 11/5/2008 (mro). (Entered: 11/05/2008)

12/16/2008	101	FINAL JUDGMENT settling action. (Signed by Judge Laura Taylor Swain on 12/15/08) (Attachments: # 1 NOTICE OF RIGHT TO APPEAL)(ml) (Entered: 12/17/2008)
12/16/2008		Mailed notice of Right to Appeal to Attorney(s) of Record: Elisabeth Ryden Benjamin, Mario Gerard Frangiose, Joan Rowena Pannell, Ronald J. Tabak. (mro) (Entered: 12/19/2008)
12/16/2008	102	STIPULATION OF ADJOURNMENT: It is hereby stipulated and agreed between and among the parties that to afford the parties sufficient time to negotiate a possible resolution of Plaintiffs' application for attorney's fees, costs, and expenses, Plaintiffs' time for moving for an award of attorney's fees, costs, and expenses pursuant to Fed. R. Civ. P. 54(d)(2)(B) is hereby extended to sixty (60) days from the date this Stipulation is so ordered, or such additional time as the Court orders upon application of one or both of the parties. (Signed by Judge Laura Taylor Swain on 12/15/2008) Copies Mailed By Chambers.(jfe) (Entered: 12/23/2008)
12/16/2008	103	STIPULATION OF ADJOURNMENT It is hereby stipulated and agreed that to afford the parties sufficient time to negotiate a possible resolution of Plaintiffs application for attorneys fees, costs, and expenses, Plaintiffs time for moving for an award of attorneys fees costs, and expenses pursuant to Fed. R. Civ. P. 54(d)(2)(B) is hereby extended to sixty (60) days from the date this Stipulation is so ordered, or such additional time as the Court orders upon application of one or both of the parties. (Signed by Judge Laura Taylor Swain on 12/15/08) Copies Mailed By Chambers.(mme) (Entered: 12/24/2008)
12/30/2008		Received returned mail: Mail was addressed to Joan Rowena Pannell at 75 Park Place, New York, NY 10007 and was returned for the following reason(s): Return to sender, Attempted-Not Known. (mro) (Entered: 12/30/2008)
12/30/2008		Received returned mail: Mail was addressed to Mario Gerald Frangiose, Jeffrey Schanback at 75 Park Place, New York, NY 10007 and was returned for the following reason(s): Return to sender, Attempted-Not Known. (mro) (Entered: 12/30/2008)
02/20/2009	104	NOTICE OF APPEARANCE by Steven Jay Rappaport on behalf of The New York City Housing Authority (Rappaport, Steven) (Entered: 02/20/2009)
03/03/2009	105	STIPULATION AND ORDER of ADJOURNMENT. It is stipulated and agreed between and among the parties that to afford the parties sufficient time to negotiate a possible resolution of Plaintiffs' application for attorney's fees, costs, and expenses, Plaintiffs' time for moving for an award of attorney's fees, costs, and expenses pursuant to Fed. R. Civ. P. 54(d)(2)(B) is hereby extended to thirty days from the date of this Stipulation and Order, or such additional time as the Court orders upon application of one or both of the parties. (Signed by Judge Laura Taylor Swain on 3/2/09) (dj) (Entered: 03/03/2009)
03/12/2009	106	STIPULATION AND ORDER OF SETTLEMENT OF ATTORNEY'S FEES, COSTS AND DISBURSEMENTS: IT IS HEREBY STIPULATED AND AGREED as follows: 1) The New York City Housing Authority shall pay the sum of five hundred and seventy five thousand dollar to counsel to the plaintiff class, and the plaintiff class hereby agrees to accept said payment in full satisfaction of all claims for attorneys' fees, costs, and disbursements, in, arising from, or in connection with this action for the time period and to the extent set forth in paragraph 3 below. Payment should be made by check as follows: \$491,050 to the Legal Aid Society and \$83,950 to Skadderl, Arps, Slate, Meagher & Florn LLP. These two payments shall be made within sixty days from the date the within Fee Stipulation is "so ordered" by the Court with post-judgment interest accruing if payment is issue after that date. 2) In consideration of this payment, the plaintiffs individually and on behalf of each member of the class, and on behalf of the respective heirs, executors, administrators, personal representatives, successors and assigns of each of themselves and each of the members of the class hereby jointly and severally release

		and forever discharge the New York City Housing Authority, including without limitation its past and present 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 fees, costs, and disbursements arising from or in connection with the above-captioned action through the date that the Stipulation is "so-ordered" by the court and to the extent set forth in paragraph 3 below, and this Fee Stipulation shall be deemed a release to that effect. (Signed by Judge Laura Taylor Swain on 3/11/2009) (jfe) (Entered: 03/12/2009)
09/04/2009	107	LETTER addressed to Judge Laura Taylor Swain from Ms. Valerie C. Jenkins dated 8/5/09 re: Correspondence from Valerie C. Jenkins. (tro) (Entered: 09/18/2009)
04/06/2010	108	MEMO ENDORSEMENT re: this application which relates to matters outside the scope of Blatch v. Martinez, 97civ 3918 is denied without prejudice to proceedings in a proper forum. (Signed by Judge Laura Taylor Swain on 4/6/10) (pl) (Entered: 04/07/2010)
02/09/2011	109	ORDER: The annexed application by Valerie Jenkins Abdullah for an order to show cause is denied. It does not relate to any issues in the now-closed case of Blatch, et al v. Martinez, et al. The denial of this application is without prejudice to its renewal in any other appropriate forum. Ms. Abdullah, who persists in attempting to file applications and documents unrelated to the above-captioned case, is hereby prohibited from filing any further documents in this case. SO ORDERED. (Signed by Judge Laura Taylor Swain on 2/9/2011) Copies Mailed By Chambers. (lnl) (Entered: 02/09/2011)
02/09/2011	110	MOTION for Order to Show Cause. Document filed by Kelvin Blatch, Kenneth Blatch. (Per Chambers, docket pleading as is, and as a motion) (lnl) (Entered: 02/09/2011)
02/14/2011	111	DENIED APPLICATION FOR AN ORDER TO SHOW CAUSE. ***Accepted for filing by Chambers. (mro) (Entered: 02/14/2011)
12/20/2011		Minute Entry for proceedings held before Magistrate Judge Henry B. Pitman: Telephone Conference held on 12/20/2011. Telephone conference held, settlement conference set for January 12, 2012 at 10:00 a.m. (js) (Entered: 12/21/2011)
12/20/2011		Set/Reset Hearings: Settlement Conference set for 1/12/2012 at 10:00 AM before Magistrate Judge Henry B. Pitman. (js) (Entered: 12/21/2011)
12/23/2011	112	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement (Principals to participate as required by Magistrate Judge) (Dispute re consent decree). Referred to Magistrate Judge Henry B. Pitman. (Signed by Judge Laura Taylor Swain on 12/23/2011) (rjm) (Entered: 12/23/2011)
02/17/2012	113	ENDORSED LETTER addressed to Judge Laura Taylor Swain from Steven Rappaport dated 2/16/2012 re: The parties write to update the Court on the matters and to confirm your approval of the parties moving forward in this matter. ENDORSEMENT: The update is appreciated. The parties and Judge Pitman have my approval and thanks for their work to resolve these issues. (Signed by Judge Laura Taylor Swain on 2/17/2012) (ab) (Entered: 02/17/2012)
02/28/2012		Minute Entry for proceedings held before Magistrate Judge Henry B. Pitman: Settlement Conference held on 2/28/2012. (lmb) (Entered: 03/08/2012)
11/07/2012	114	AMENDMENT TO STIPULATION AND ORDER OF SETTLEMENT: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiffs and the Housing Authority (this "Agreement"), 1. Except as modified by this Agreement, each paragraph of the Stipulation, along with the rights, duties and

		obligations created thereunder, shall remain in full force and effect as provided therein. 2. Paragraph 1 of the Stipulation, as it relates to the Procedures established by the Housing Authority, is hereby modified to reflect the Housing Authority's issuance of DGM 2011-0029, issued by the Housing Authority in October, 2011 and attached hereto as Exhibit A-1(See Order). 6. The parties shall discuss the issue of attorneys' fees arising from monitoring compliance with the Stipulation from October, 2008 to the date of this Agreement and the process of coming to agreement obtaining approval for this Agreement. If the parties are unable to agree, within sixty (60) days of the date this Agreement is signed, or such additional time as agreed upon by the parties, plaintiffs may move the Court, pursuant to Rule 54 of the Federal Rules of Civil Procedure, for an Order awarding reasonable costs, fees and disbursements to plaintiffs pursuant to 29 U.S.C. § 794a(b) and 42 U.S.C. § 12205 and the Housing Authority may oppose the application. (Signed by Judge Laura Taylor Swain on 10/26/2012) (rdz) (Entered: 11/07/2012)
01/07/2013	115	ENDORSED LETTER addressed to Judge Laura Taylor Swain from Lucy Newman dated 1/4/2013 re: Counsel for plaintiffs in this matter and with the consent of defendant, the New York City Housing Authority, write to apprise the Court of the parties' agreement to extend the time within which they will discuss the issue of attorneys' fees as provided for in Paragraph 6 of the Amendment to the Stipulation and Order of Settlement (the "Amendment") in Blatch v. Hernandez, So-Ordered by this Court on November 7, 2012. ENDORSEMENT: SO ORDERED. (Signed by Judge Laura Taylor Swain on 1/7/2013) (ft) (Entered: 01/07/2013)
03/28/2013	116	ENDORSED LETTER addressed to Judge Laura Taylor Swain from Lucy Newman dated 3/27/2013 re: The parties have agreed again to further extend their time for discussion of attorneys' fees matters for another ninety (90) days from the date hereof. If after such time no agreement has been reached on such issue, plaintiffs may move the Court for an Order awarding such fees, in accordance with the provisions of Paragraph 6 of the Amendment. ENDORSEMENT: SO ORDERED. (Signed by Judge Laura Taylor Swain on 3/28/2013) (ft) (Entered: 03/28/2013)
08/28/2013	117	ENDORSED LETTER addressed to Judge Laura Taylor Swain from Judith Goldiner dated 8/23/2013 re: The parties have agreed again to further extend their time for discussion of attorneys' fees matters for another 60 days until October 19, 2013. ENDORSEMENT: So Ordered. (Signed by Judge Laura Taylor Swain on 8/28/2013) (ft) (Entered: 08/28/2013)
10/22/2013	118	STIPULATION OF SETTLEMENT OF ATTORNEYS' FEES, COSTS AND DISBURSEMENTS: The New York City Housing Authority shall pay the sum Of thirty-five thousand dollars to counsel to the plaintiff class, and the plaintiff class hereby agrees to accept said payment in full satisfaction of all claims for attorneys' fees, costs, and disbursements, and as further set forth in this document. (Signed by Judge Laura Taylor Swain on 10/21/2013) (cd) (Entered: 10/22/2013)
10/14/2016	119	SECOND AMENDMENT TO STIPULATION AND ORDER OF SETTLEMENT: Except as modified by this Agreement, each paragraph of the Stipulation, along with the rights, duties and obligations created thereunder, shall remain in full force and effect, as provided therein. (As further set forth in this Order.) (Signed by Judge Laura Taylor Swain on 10/13/2016) (cf) (Entered: 10/14/2016)

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