

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:07-cv-06769-JSR**

Sierra v. City of New York et al  
Assigned to: Judge Jed S. Rakoff  
Cause: 42:1981 Housing Discrimination

Date Filed: 07/27/2007  
Date Terminated: 10/06/2008  
Jury Demand: None  
Nature of Suit: 443 Civil Rights:  
Accommodations  
Jurisdiction: Federal Question

**Plaintiff**

**Juana Sierra**

represented by **Ami T. Sanghvi**  
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V.

**Defendant**

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**Defendant**

**New York City Department of Buildings**

represented by **Jerald Horowitz**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Patricia J. Lancaster**  
*in her capacity as Commissioner of New York City Department of Buildings*

represented by **Jerald Horowitz**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**New York City Department of Housing Preservation and Development**

represented by **Jerald Horowitz**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Commissioner NYC HPD Shaun Donovan**  
*in his capacity as Commissioner of New York City Department of Housing Preservation and Development*

represented by **Jerald Horowitz**  
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**Defendant**

**Emad Ibrahim**  
*TERMINATED: 12/11/2007*

represented by **Seth Evan Denenberg**  
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Date Filed	#	Docket Text
07/27/2007	<u>1</u>	COMPLAINT against Shaun Donovan, Emad Ibrahim, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Filing Fee \$ 350.00, Receipt Number 622321) Document filed by Juana Sierra.(tro) Additional attachment(s) added on 8/1/2007 (Becerra, Maribel). (Entered: 07/30/2007)
07/27/2007		SUMMONS ISSUED as to Shaun Donovan, Emad Ibrahim, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (tro) (Entered: 07/30/2007)

07/27/2007		Magistrate Judge James C. Francis is so designated. (tro) (Entered: 07/30/2007)
07/27/2007		Case Designated ECF. (tro) (Entered: 07/30/2007)
08/02/2007	<u>2</u>	NOTICE OF APPEARANCE by Jerald Horowitz on behalf of Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development (Horowitz, Jerald) (Entered: 08/02/2007)
08/09/2007	<u>3</u>	AFFIDAVIT OF SERVICE of Complaint, Summons, Order to Show Cause for TRO and PI, and supporting documents served on Emad Ibrahim on 8/1/07. Service was made by MAIL. Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 08/09/2007)
08/09/2007	<u>4</u>	CERTIFICATE OF SERVICE of Complaint, Summons, Order to Show Cause for TRO and PI, and supporting documents served on NYC Department of Buildings on 7/27/07. Service was accepted by person authorized to accept service. Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 08/09/2007)
08/09/2007	<u>5</u>	CERTIFICATE OF SERVICE of Complaint, Summons, Order to Show Cause for TRO and PI, and supporting documents served on New York City and NYC Department of Housing Preservation and Development on 7/27/07. Service was accepted by persons authorized to accept service. Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 08/09/2007)
08/20/2007	<u>6</u>	AFFIRMATION of Frank Angilletta in Opposition. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Horowitz, Jerald) (Entered: 08/20/2007)
08/20/2007	<u>7</u>	AFFIDAVIT of Mario Ferrigno in Opposition. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C – Part 1# <u>4</u> Exhibit C – Part 2# <u>5</u> Exhibit D)(Horowitz, Jerald) (Entered: 08/20/2007)
08/20/2007	<u>8</u>	MEMORANDUM OF LAW in Opposition to <i>Plaintiff's Motion for a Preliminary Injunction</i> . Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Horowitz, Jerald) (Entered: 08/20/2007)
08/20/2007	<u>9</u>	DECLARATION of Jerald Horowitz of <i>Service of Papers in Opposition to Plaintiff's Motion for a Preliminary Injunction</i> . Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Horowitz, Jerald) (Entered: 08/20/2007)
09/05/2007	<u>10</u>	NOTICE OF APPEARANCE by Seth Evan Denenberg on behalf of Emad Ibrahim (Denenberg, Seth) (Entered: 09/05/2007)
09/05/2007	<u>11</u>	DECLARATION of Seth Denenberg in Opposition. Document filed by Emad Ibrahim. (Denenberg, Seth) (Entered: 09/05/2007)
09/05/2007	<u>12</u>	DECLARATION of Seth Denenberg in Opposition. Document filed by Emad Ibrahim. (Denenberg, Seth) (Entered: 09/05/2007)
09/05/2007	<u>13</u>	DECLARATION of Seth Denenberg in Opposition. Document filed by Emad Ibrahim. (Denenberg, Seth) (Entered: 09/05/2007)
09/05/2007	<u>14</u>	AFFIDAVIT of Emad Ibrahim in Opposition. Document filed by Emad Ibrahim. (Denenberg, Seth) (Entered: 09/05/2007)
09/12/2007	<u>15</u>	REPLY MEMORANDUM OF LAW in Support of <i>Plaintiff's Order to Show Cause for a Preliminary Injunction</i> . Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 09/12/2007)
09/25/2007	<u>16</u>	SUPPLEMENTAL MEMORANDUM OF LAW <i>Municipal Defendants' Letter Brief in Further Opposition to Plaintiff's Motion for a Preliminary Injunction</i> ,

		<i>dated September 25, 2007.</i> Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Horowitz, Jerald) (Entered: 09/25/2007)
09/26/2007	<u>17</u>	FIRST OPPOSITION BRIEF <i>to injunction.</i> Document filed by Emad Ibrahim.(Denberg, Seth) (Entered: 09/26/2007)
09/26/2007	<u>18</u>	MEMORANDUM OF LAW in Support re: <u>15</u> Reply Memorandum of Law in Support <i>Plaintiff's Memorandum of Law Regarding the Anti-Injunction Act.</i> Document filed by Juana Sierra. (Annexstein, Leslie) (Entered: 09/26/2007)
11/06/2007	19	TRANSCRIPT of proceedings held on 9/17/07 before Judge Jed S. Rakoff. (tro) (Entered: 11/06/2007)
11/09/2007	<u>20</u>	NOTICE OF APPEARANCE by Martha Ann Weithman on behalf of Juana Sierra (Weithman, Martha) (Entered: 11/09/2007)
11/29/2007		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 11/29/2007. (jmi) (Entered: 12/07/2007)
11/29/2007		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 11/29/2007. (dle) (Entered: 01/07/2008)
12/04/2007		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 12/4/2007. (dle) (Entered: 12/19/2007)
12/05/2007		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 12/5/2007. (dle) (Entered: 12/27/2007)
12/06/2007	<u>21</u>	ORDER the Court therefore will shortly turn to the merits of the plaintiff's request for preliminary injunctive relief against the City defendants, which was previously briefed and argued. However, in light of a putative settlement between plaintiff and Ibrahim, the City defendants have indicated that they may move this Court to stay the proceedings and/or to dismiss the remaining claims for lack of standing. All of this will be further discussed at the in-court conference already scheduled for 5:00pm today. SO ORDERED. (Signed by Judge Jed S. Rakoff on 12/6/2007) (jmi) (Entered: 12/07/2007)
12/06/2007		Minute Entry for proceedings held before Judge Jed S. Rakoff: Interim Pretrial Conference held on 12/6/07. (kco) (Entered: 12/12/2007)
12/07/2007	<u>22</u>	MOTION to Dismiss for Lack of Jurisdiction. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. Responses due by 12/21/2007 Return Date set for 1/14/2008 at 02:00 PM.(Horowitz, Jerald) (Entered: 12/07/2007)
12/07/2007	<u>23</u>	DECLARATION of Jerald Horowitz in Support re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Horowitz, Jerald) (Entered: 12/07/2007)
12/07/2007	<u>24</u>	MEMORANDUM OF LAW in Support re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Horowitz, Jerald) (Entered: 12/07/2007)
12/10/2007	<u>25</u>	WITHDRAWAL OF CLAIM. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Horowitz, Jerald) (Entered: 12/10/2007)
12/11/2007	<u>26</u>	STIPULATION FOR DISMISSAL OF DEFENDANT EMAD IBRAHEM, without costs and with prejudice. With the concurrence of the other defendants (see attached letter), the stipulation is approved. (Signed by Judge Jed S. Rakoff on 12/10/07) (cd) (Entered: 12/11/2007)

12/13/2007	<u>27</u>	ORDER that the City's application to depose the plaintiff is hereby denied. (Signed by Judge Jed S. Rakoff on 12/12/07) (cd) (Entered: 12/13/2007)
12/14/2007	28	TRANSCRIPT of proceedings held on 12/6/07 @ 5:13pm before Judge Judge Jed S. Rakoff. (pr) (Entered: 12/14/2007)
12/21/2007	<u>29</u>	DECLARATION of Juana Sierra in Opposition re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Juana Sierra. (Attachments: # <u>1</u> Affidavit)(Sanghvi, Ami) (Entered: 12/21/2007)
12/21/2007	<u>30</u>	FIRST MEMORANDUM OF LAW in Opposition re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 12/21/2007)
01/03/2008	<u>31</u>	MEMORANDUM: For reasons further set forth in said Order, the City defendants have now moved to dismiss all remaining claims (on the grounds that plaintiff has vacated the SRO unit where her presence with her child gave rise to the violation of HMC ss 27-2076 that underlay this entire lawsuit), and that motion is presently being briefed, but is not yet presented for adjudication. (Signed by Judge Jed S. Rakoff on 1/2/08) (db) (Entered: 01/03/2008)
01/03/2008	<u>32</u>	REPLY AFFIDAVIT of Moon Wha Lee in Support re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Horowitz, Jerald) (Entered: 01/03/2008)
01/03/2008	<u>33</u>	REPLY MEMORANDUM OF LAW in Support re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Horowitz, Jerald) (Entered: 01/03/2008)
01/03/2008	<u>34</u>	CERTIFICATE OF SERVICE of Reply Papers served on plaintiff on January 3, 2008. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Horowitz, Jerald) (Entered: 01/03/2008)
01/14/2008		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument held on 1/14/2008 re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction filed by New York City Department of Housing Preservation and Development, Shaun Donovan, Patricia J. Lancaster, New York City Department of Buildings, City of New York. The Court reserved decision on the motion until after further submission by the parties. (jar) (Entered: 01/23/2008)
01/28/2008	<u>35</u>	REPLY AFFIDAVIT of Rebecca Widom in Opposition re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Juana Sierra. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Sanghvi, Ami) (Entered: 01/28/2008)
01/28/2008	<u>36</u>	REPLY AFFIDAVIT of Krista Hanson in Opposition re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Juana Sierra. (Attachments: # <u>1</u> Exhibit)(Sanghvi, Ami) (Entered: 01/28/2008)
01/28/2008	<u>37</u>	REPLY AFFIDAVIT of Stephan Russo in Opposition re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 01/28/2008)
01/28/2008	<u>38</u>	REPLY AFFIRMATION of Jim Provost in Opposition re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 01/28/2008)
01/28/2008	<u>39</u>	REPLY AFFIRMATION of Christopher Schwartz in Opposition re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 01/28/2008)
02/11/2008	<u>40</u>	REPLY AFFIDAVIT of Moon Wha Lee in Support re: <u>22</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. (Attachments: # <u>1</u> Exhibit



		A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Horowitz, Jerald) (Entered: 02/11/2008)
02/14/2008	41	TRANSCRIPT of proceedings held on 1/14/08 before Judge Jed S. Rakoff. (jbe) (Entered: 02/14/2008)
03/03/2008	<u>42</u>	MEMORANDUM AND ORDER: For the foregoing reasons, the City Defendants' motion to dismiss for lack of standing is denied. Counsel are directed to convene a conference call with the Court by no later than 5 p.m. on March 4, 2008. (Signed by Judge Jed S. Rakoff on 3/3/2008) (jpo) (Entered: 03/03/2008)
03/03/2008		Set Deadlines/Hearings: Telephone Conference set for 3/4/2008 at 05:00 PM before Judge Jed S. Rakoff. (jpo) (Entered: 03/03/2008)
03/04/2008		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 3/4/2008. (jw) (Entered: 04/24/2008)
03/06/2008	<u>43</u>	ORDER: The Court hereby sets the following schedule for remaining proceedings in this case: The parties shall file notices of their respective motions for summary judgment by Friday, March 7, 2008, and shall file responses to those motions by Friday, March 14, 2008. These notices and responses may adopt any and all of the papers previously filed in this case and need not include statements under Local Civil Rule 56.1. The Court will hold oral argument on the previously-briefed preliminary injunction motion, as well as the aforementioned motions for summary judgment, on Wednesday, March 26, at 2:00 p.m. The Court will hold a final pretrial conference on June 9, 2008 at 3:00 p.m., and, at that time, set a date to commence trial. So Ordered (Signed by Judge Jed S. Rakoff on 3/5/08) (js) (Entered: 03/06/2008)
03/06/2008	<u>44</u>	MEMO ENDORSEMENT ON ORDER TO SHOW CAUSE FOR TEMPORARY RESTRAINING AND PRELIMINARY INJUNCTION. ENDORSEMENT: Postponed in July 2007 because of intervening developments. (Signed by Judge Jed S. Rakoff on 3/6/08) (rw) Modified on 3/7/2008 (rw). (Entered: 03/07/2008)
03/06/2008	46	MEMORANDUM OF LAW in Support re: <u>44</u> Memo Endorsement. Document filed by Juana Sierra. (rw) (Entered: 03/07/2008)
03/06/2008	47	DECLARATION of Martha Weithman in Support re: <u>44</u> Memo Endorsement. Document filed by Juana Sierra. (rw) (Entered: 03/07/2008)
03/06/2008	48	DECLARATION of Ami T. Sanghvi in Support re: <u>44</u> Memo Endorsement. Document filed by Juana Sierra. (rw) (Entered: 03/07/2008)
03/06/2008		MEMORANDUM TO THE DOCKET CLERK: A telephone conference was held in the above captioned case. (jmi) (Entered: 03/14/2008)
03/07/2008	<u>45</u>	CROSS MOTION for Summary Judgment <i>in further response to Order to Show Cause for Temporary Restraining Order and a Preliminary Injunction</i> . Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development. Responses due by 3/14/2008 Return Date set for 3/26/2008 at 02:00 PM.(Horowitz, Jerald) (Entered: 03/07/2008)
03/07/2008	<u>49</u>	MOTION for Summary Judgment <i>by adoption of Plaintiff's Order to Show Cause and supporting documents for Preliminary Injunction</i> . Document filed by Juana Sierra. Responses due by 3/14/2008 Return Date set for 3/26/2008 at 02:00 PM.(Sanghvi, Ami) (Entered: 03/07/2008)
03/14/2008	<u>50</u>	RESPONSE in Support re: <u>49</u> MOTION for Summary Judgment <i>by adoption of Plaintiff's Order to Show Cause and supporting documents for Preliminary Injunction. Response in Opposition re: <u>45</u> Cross Motion for Summary Judgment by Defendants</i> . Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 03/14/2008)
04/07/2008	<u>51</u>	SECOND MEMORANDUM OF LAW in Support re: <u>49</u> MOTION for Summary Judgment <i>by adoption of Plaintiff's Order to Show Cause and supporting documents for Preliminary Injunction. Letter Brief regarding FHA Legislative History and HUD Guidelines</i> . Document filed by Juana Sierra. (Sanghvi, Ami)

		(Entered: 04/07/2008)
04/15/2008	52	TRANSCRIPT of proceedings held on 3/26/08 before Judge Jed S. Rakoff. (ama) (Entered: 04/15/2008)
04/18/2008	<u>53</u>	BRIEF re: <u>8</u> Memorandum of Law in Opposition, <u>51</u> Memorandum of Law in Support of Motion, <u>45</u> CROSS MOTION for Summary Judgment <i>in further response to Order to Show Cause for Temporary Restraining Order and a Preliminary Injunction. Letter Brief to Hon. Jed. S. Rakoff, dated April 18, 2008, in further support of Defendants' Motion for Summary Judgment.</i> Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development.(Horowitz, Jerald) (Entered: 04/18/2008)
04/25/2008	<u>54</u>	REPLY MEMORANDUM OF LAW in Support re: <u>49</u> MOTION for Summary Judgment by <i>adoption of Plaintiff's Order to Show Cause and supporting documents for Preliminary Injunction. Letter Brief in response to Defendants' Brief.</i> Document filed by Juana Sierra. (Sanghvi, Ami) (Entered: 04/25/2008)
05/13/2008	<u>55</u>	MEMORANDUM AND ORDER; To resolve the disputed issues of fact, the Court will permit each party to conduct limited discovery, following which the Court will hold an evidentiary hearing on plaintiffs request for apartment injunction (obviating, as no longer necessary, any hearing on a preliminary injunction). At this hearing, the Court will find it helpful to have the parties present evidence pertaining to, among matters; all violations of HMC section 27-2076(b) issued over the past ten years; who reported those violations to the city, if known; whether those violations were preceded or followed by eviction proceedings; the living conditions of families evicted from or precluded from living in SROs; and the enforcement of other housing occupancy and safety standards. To set a schedule for discovery and a date for the hearing, counsel are directed to jointly call the court by no later than May 16, 2008, at 12 noon. Finally, the court is aware that plaintiff's complaint also requested "damages and would fully compensate plaintiff Sierra for damages caused by the defendants' unlawful discriminatory practices." Complaint for preliminary and permanent injunction; Declaratory Judgment; and damages for violation of the fair housing act and the New York State Human Rights Law at 11. Should plaintiff prevail on her request for a permanent injunction, the court will at that time take up the issue of whether a jury trial is necessary to determine what damages, if any, are owed to Sierra. (Signed by Judge Jed S. Rakoff on 5/13/08) (mme) (Entered: 05/14/2008)
05/23/2008	<u>56</u>	ANSWER to Complaint. Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development.(Horowitz, Jerald) (Entered: 05/23/2008)
05/23/2008	<u>57</u>	NOTICE of Substitution of Attorney. Old Attorney: Ami T. Sanghvi, New Attorney: Tara S. Crean, Address: Urban Justice Center, 123 William Street, 16th Floor, New York, NY, USA 10038, 6466025649. Document filed by Juana Sierra. (Annexstein, Leslie) (Entered: 05/23/2008)
07/08/2008		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 7/8/2008. (tro) (Entered: 08/07/2008)
07/22/2008	<u>58</u>	ORDER; That in anticipation of the injunction hearing scheduled to begin 9/3/08, plaintiff has propounded numerous discovery requests, to many of which defendants have objected. To restore some balance, it seems best to start afresh. Accordingly, the Court hereby quashes all of plaintiffs outstanding discovery requests to which defendants have objected and directs plaintiff to serve on defendants counsel, by no later than noon on Thursday, 7/24, a new, far more tailored set of discovery requests. Defendants, in turn, must serve on plaintiffs counsel, by no later than 5pm on Monday, 7/28, move nuanced responses to the plaintiffs new discovery requests carefully stating any grounds for objections and, where no objections have been interposed, indicating a prompt date by which responses will be provided. Copies of the plaintiffs new requests and the defendants new responses should also be faxed to the Court. The Court will then hold an in-court conference on Tuesday, July 29, at 5 p.m., to address any remaining disputes.( Status Conference set for 7/29/2008 at 05:00 PM before Judge

		Jed S. Rakoff.) (Signed by Judge Jed S. Rakoff on 7/22/08) (pl) (Entered: 07/22/2008)
07/29/2008		Minute Entry for proceedings held before Judge Jed S. Rakoff: Interim Pretrial Conference held on 7/29/2008 on discovery disputes, was held in this case. (dle) (Entered: 08/04/2008)
08/05/2008	59	TRANSCRIPT of proceedings held on 7/29/08 before Judge Jed S. Rakoff. (ama) (Entered: 08/05/2008)
08/27/2008	<u>60</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – NOTICE OF APPEARANCE by Jacqueline Hui on behalf of City of New York (Hui, Jacqueline) Modified on 8/28/2008 (db). (Entered: 08/27/2008)
08/27/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Jacqueline Hui to RE-FILE Document <u>60</u> Notice of Appearance. ERROR(S): Name of Attorney Filing Appearance (Jacqueline Hui) Does Not Match Attorney Signing Appearance (Jerald Horowitz). (db) (Entered: 08/28/2008)
09/02/2008	<u>61</u>	NOTICE OF APPEARANCE by Jacqueline Hui on behalf of City of New York (Hui, Jacqueline) (Entered: 09/02/2008)
09/12/2008	<u>62</u>	BRIEF <i>City Defendants' Post-Trial Memorandum of Law</i> . Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development.(Horowitz, Jerald) (Entered: 09/12/2008)
09/12/2008	<u>63</u>	POST TRIAL MEMORANDUM. Document filed by Juana Sierra.(Annexstein, Leslie) (Entered: 09/12/2008)
09/17/2008	<u>64</u>	BRIEF <i>City Defendants' Reply Post-Trial Memorandum of Law, dated September 17, 2008</i> . Document filed by Shaun Donovan, City of New York, New York City Department of Buildings, Patricia J. Lancaster, New York City Department of Housing Preservation and Development.(Horowitz, Jerald) (Entered: 09/17/2008)
09/17/2008	<u>65</u>	POST TRIAL MEMORANDUM. Document filed by Juana Sierra.(Annexstein, Leslie) (Entered: 09/17/2008)
09/30/2008	66	TRANSCRIPT of proceedings held on September 3, 2008 2:15 p.m. before Judge Jed S. Rakoff. (mro) (Entered: 09/30/2008)
09/30/2008	67	TRANSCRIPT of proceedings held on September 4, 2008 11:30 a.m. before Judge Jed S. Rakoff. (mro) (Entered: 09/30/2008)
10/01/2008	68	TRANSCRIPT of proceedings held on 9/3/2008 before Judge Jed S. Rakoff. (jn) (Entered: 10/01/2008)
10/01/2008	69	TRANSCRIPT of proceedings held on 9/05/08 before Judge Jed S. Rakoff. (ama) (Entered: 10/01/2008)
10/02/2008	<u>70</u>	OPINION AND ORDER #96606: The Court concludes that the City has carried its burden of demonstrating that HMC section 27-7076(b) furthers, in theory and in practice, legitimate government interests in the health, safety and welfare of children that cannot be achieved through other alternatives, and that HMC section 27-2076(b) does not violate the Fair Housing Act. The Court therefore denies Sierra's requests for injunctive and declaratory relief. Moreover, the above conclusion also moots, as a matter of law, Sierra's claim for damages against the City defendants, which presupposed their enforcement of an invalid regulation. Accordingly, the Clerk of the Court is directed to enter judgment dismissing the Complaint with prejudice. (Signed by Judge Jed S. Rakoff on 10/1/08) (tro) Modified on 10/3/2008 (rw). (Entered: 10/02/2008)
10/02/2008		Transmission to Judgments and Orders Clerk. Transmitted re: <u>70</u> Memorandum & Opinion, to the Judgments and Orders Clerk. (tro) (Entered: 10/02/2008)
10/06/2008	<u>71</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Opinion and Order dated October 1, 2008, the complaint is dismissed with prejudice. (Signed by J. Michael McMahon, clerk on 10/6/08) (Attachments: # <u>1</u> notice of right to



		appeal)(ml) (Entered: 10/06/2008)
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