

RAKOFF, J.S.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

M.K.B., O.P., L.W., M.A., Marieme Diongue,
M.E., P.E., Anna Fedosenko, A.I., L.A.M., L.M.,
Denise Thomas, and J.Z., on their own behalf, and
on behalf of their minor children and all others
similarly situated,

Plaintiffs,

vs.

VERNA EGGLESTON, as Commissioner of the
New York City Human Resources Administration;
ROBERT DOAR, as Commissioner of the New
York State Office of Temporary and Disability
Assistance; and ANTONIA C. NOVELLO, as
Commissioner of the New York State Department
of Health,

Defendants.

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JUDGMENT

05 Civ. 10446 (JSR)

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WHEREAS counsel for the parties having jointly sought, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, approval by this Court of the Stipulation and Order of Settlement entered into by the parties, dated January 12, 2007 (the "Settlement"); and

WHEREAS the Court, by Order filed on January 31, 2007, having directed that notice be given to the class in the manner set forth in said Order and that a fairness hearing be held on May 24, 2007 at 10:00 a.m. before the Hon. Jed S. Rakoff in the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York which order was amended by Order filed March 15, 2007; and the Court having ordered thereafter that the date of the aforesaid fairness hearing be changed to June 5, 2007 at 4:30 p.m. and that notice of the change in the hearing date be published at HRA Job Centers; and

WHEREAS notice of the proposed Settlement and fairness hearing (“Notice”) was provided to the Class in accordance with said Orders and further direction of the Court; and

WHEREAS the Court, having held a fairness hearing on June 5, 2007 at which it determined that the Settlement is fair, reasonable, and adequate for the reasons set forth at that hearing and by Order filed June 6, 2007,

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Judgment is hereby entered based on the provisions set forth in the Stipulation and Order of Settlement filed on June 26, 2007.
2. This action has been certified as a class action pursuant to Rule 23(a) and (b)(2) of the Federal Rules of Civil Procedure. The Class is defined as:

All Affected Immigrants who are, have been, or will be eligible for state or federally funded public assistance, Medicaid, or food stamps, and who either (a) have been or will be denied public benefits in whole or in part; (b) had or will have benefits discontinued or reduced, (c) have been or will be discouraged or prevented from applying; (d) have been or will be encouraged to withdraw an application by a New York Center because of a misapplication of immigrant eligibility rules.

For purposes of the foregoing paragraph, the term “Affected Immigrants” means (1) battered spouses and battered children of U.S. citizens or lawful permanent residents, who are Qualified Aliens as defined in 8 U.S.C. §1641(c); (2) their immigrant children, or in the case of battered children, their immigrant parents, provided that they too are Qualified Aliens as defined in 8 U.S.C. §1641c; (3) lawful permanent residents who have been in that status for less than five years; and (4) persons who are Permanently Residing Under Color of Law (PRUCOL).

3. This judgment is binding on all members of the Class.
4. The Court hereby awards attorneys fees and costs in accordance with the Attorneys’ Fees Stipulation on file with the Court as follows:

The Legal Aid Society	\$1,101,349.09
New York Legal Assistance Group	\$ 463,156.76
Hughes Hubbard & Reed LLP	<u>\$1,285,494.15</u>
Total	\$2,850,000.00

5. This Judgment and the Settlement are not, and shall not be construed to be, an admission of any liability or wrongdoing whatsoever.

6. The Clerk is hereby directed forthwith to enter this Judgment.

Dated: New York, New York
July 16, 2007

BY ORDER OF THE COURT


UNITED STATES DISTRICT JUDGE

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____