

FILED

IN CLERKS OFFICE
U.S. DISTRICT COURT N.Y.

★ MAY 18 2004 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X P.M. _____
TIME A.M. _____

MICHAEL SPINNER, et al., individually and on behalf of
a class of all others similarly situated,

Plaintiffs,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

**STIPULATION
AND ORDER
DECERTIFYING
THE
INJUNCTIVE
CLASS**

CV 01 2715
(CPS)(CLP)

-----X

-----X

MOHAMMED HABROUT, individually and on behalf of
a class of all others similarly situated,

Plaintiffs,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

CV 02 1039
(CPS)(CLP)

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TODD KNOPKE, et al., individually and on behalf of a
class of all others similarly situated,

Plaintiffs,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

CV 01 8264
(CPS)(CLP)

-----X

-----X

ANTHONY MICCIULLI, et al., individually and on behalf
of a class of all others similarly situated,

Plaintiffs,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

-----X

**STIPULATION
AND ORDER
DECERTIFYING
THE
INJUNCTIVE
CLASS**

CV 02 2899
(CPS)(CLP)

WHEREAS, on October 10, 2003, this Court certified a class in this consolidated action for injunctive relief, pursuant to Fed. R. Civ. P. 23(b)(2); and

WHEREAS, defendants moved by Notice of Motion dated March 26, 2004 to decertify the class and to dismiss all claims for injunctive relief for lack of subject matter jurisdiction (the "March 26, 2004 motion"); and

WHEREAS, in a submission to the Court dated March 26, 2004, plaintiffs responded to the March 26, 2004 motion by stating that they "withdraw their claims for injunctive relief," and

WHEREAS, on April 22, 2004, plaintiffs withdrew their claims for injunctive relief on the record before this Court and the Court dismissed all claims for injunctive relief in these actions;

IT IS HEREBY STIPULATED, ORDERED AND ADJUDGED, that, upon the March 26, 2004 motion and all papers submitted in support thereof, the dismissal of all claims for injunctive relief on April 22, 2004, the agreement of the parties, and pursuant to Rule 23 of the

Federal Rules of Civil Procedure, the injunctive relief class certified by the Court on October 10, 2003 pursuant to Fed. R. Civ. P. 23(b)(2) is hereby **DECERTIFIED**.

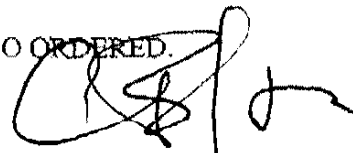
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Alan H. Scheiner (AS-7991)
Assistant Corporation Counsel

By: 
Richard J. Cardinale, Esq. (RC-8507)

Dated: New York, New York
April ____, 2004

SO ORDERED.


CHARLES P. SIFTON
U.S.D.J.

4/3/04