

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**CHARLES STROUCHLER, SARA
CAMPOS, by her next friend ANA
SIMARD, and AUDREY ROKAW, by her
next friend NINA PINSKY, individually
and on behalf of all persons similarly
situated,**

Plaintiffs,

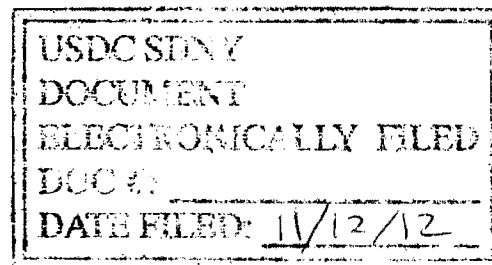
- against -

**NIRAV SHAH, M.D., as Commissioner of
the New York State Department of Health,
and ELIZABETH BERLIN, as Executive
Deputy Commissioner of the New York
State Office of Temporary and Disability
Assistance, and ROBERT DOAR, as
Administrator of the New York City
Human Resources
Administration/Department of Social
Services,**

Defendants.

ORDER

12 Civ. 3216 (SAS)



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SHIRA A. SCHEINDLIN, U.S.D.J.:

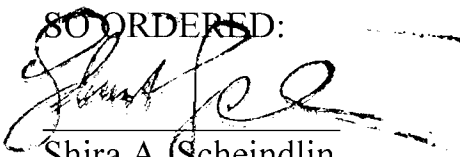
I. INTRODUCTION

On November 2, 2012, plaintiffs submitted a letter requesting immediate reinstatement of the split-shift care of certain at risk individuals: (1) 16 individuals whose split-shift care has been reduced or terminated since January

2011, and (2) approximately 15 individuals who are currently awaiting fair hearings but who, plaintiffs argued, would not have received notices of reduction or termination if their cases had been assessed after this Court issued its preliminary injunction order dated September 4, 2012.

The State and the City submitted reply letters on November 5 and November 8, respectively, and plaintiffs submitted a sur-reply letter on November 10.

In consideration of the parties' letters, as well as of the emergency conditions in the wake of Hurricane Sandy, I hereby order the following: *First*, the City will have seven business days from the date of this order to reinstate the split-shift services of the 16 individuals identified by plaintiffs, until these individuals can be reassessed under the standards in GIS 12 MA/026. *Second*, a conference is scheduled for Wednesday, November 21, 2012 at 4:30pm to resolve the remaining issues raised in the parties' letters.

SO ORDERED:

Shira A. Scheindlin
U.S.D.J.

Dated: November 12, 2012
New York, New York

Appearances

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