

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:13-cv-01410-TPG**

Rafferty et al v. Doar et al
Assigned to: Judge Thomas P. Griesa
Referred to: Magistrate Judge Debra C. Freeman (Settlement)
Cause: 42:12112 Americans with Disabilities Act –
Employment Discrimination

Date Filed: 03/01/2013
Date Terminated: 10/23/2015
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

Megan Rafferty

*on behalf of herself and all others
similarly situated*

represented by **Cary Lacheen**
National Center for Law and Economic
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Plaintiff

Deborah Haynes
*on behalf of herself and all others
similarly situated*

represented by **Cary Lacheen**
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ATTORNEY TO BE NOTICED

Jenny Ross Aquines Pelaez
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Joshua Matthew Link
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Mary Mannix
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Michael P. Daly
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ATTORNEY TO BE NOTICED

Plaintiff

Leason Jacob
*on behalf of himself and all others
similarly situated*

represented by **Cary Lacheen**
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Jenny Ross Aquines Pelaez
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Mary Mannix
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Michael P. Daly
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Diana Gray
on behalf of herself and all others
similarly situated

represented by **Cary Lacheen**
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Michael P. Daly
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PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

Robert Doar
in his capacity as its Commissioner of the
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Administration

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LEAD ATTORNEY
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Defendant

Kristin Proud
in her capacity as Acting Commissioner

represented by **John Peter Gasior**
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*of the New York State Office of
Temporary and Disability Assistance*

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ATTORNEY TO BE NOTICED

Defendant

Nirav Shah, M.D.
*in his capacity as its Commissioner of the
New York State Department of Health*

represented by **John Peter Gasior**
(See above for address)
ATTORNEY TO BE NOTICED

Linda Fang
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**The New York City Human Resources
Administration**

represented by **Carolyn Elizabeth Kruk**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**New York State Office of Temporary
and Disability Assistance**

represented by **John Peter Gasior**
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ATTORNEY TO BE NOTICED

Linda Fang
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ATTORNEY TO BE NOTICED

Defendant

New York State Department of Health

represented by **John Peter Gasior**
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ATTORNEY TO BE NOTICED

Linda Fang
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/01/2013		SUMMONS ISSUED as to Robert Doar, New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD, The New York City Human Resources Administration. (cde) (Entered: 03/05/2013)
03/01/2013		Magistrate Judge Debra C. Freeman is so designated. (cde) (Entered: 03/05/2013)

03/01/2013		Case Designated ECF. (cde) (Entered: 03/05/2013)
03/01/2013		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney CARY LACHEEN for noncompliance with Section 14.3 of the S.D.N.Y. Electronic Case Filing Rules & Instructions. E-MAIL the PDF for Document <u>1</u> Complaint, to: caseopenings@nysd.uscourts.gov. (cde) (Entered: 03/05/2013)
03/05/2013	<u>1</u>	COMPLAINT against Robert Doar, New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD, The New York City Human Resources Administration. (Filing Fee \$ 350.00, Receipt Number 465401061444) Document filed by Leason Jacob, Megan Rafferty, Diana Gray, Deborah Haynes.(cde) (jd). (Entered: 03/05/2013)
03/12/2013	<u>2</u>	MOTION to Certify Class. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. Responses due by 3/22/2013(Pelaez, Jenny) (Entered: 03/12/2013)
03/12/2013	<u>3</u>	DECLARATION of Cary LaCheen, Esq. in Support re: <u>2</u> MOTION to Certify Class.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Pelaez, Jenny) (Entered: 03/12/2013)
03/12/2013	<u>4</u>	DECLARATION of Gerald S. Hartman, Esq. in Support re: <u>2</u> MOTION to Certify Class.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Pelaez, Jenny) (Entered: 03/12/2013)
03/12/2013	<u>5</u>	DECLARATION of Megan Rafferty in Support re: <u>2</u> MOTION to Certify Class.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Pelaez, Jenny) (Entered: 03/12/2013)
03/12/2013	<u>6</u>	DECLARATION of Deborah Haynes in Support re: <u>2</u> MOTION to Certify Class.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Pelaez, Jenny) (Entered: 03/12/2013)
03/12/2013	<u>7</u>	DECLARATION of Leason Jacob in Support re: <u>2</u> MOTION to Certify Class.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Pelaez, Jenny) (Entered: 03/12/2013)
03/12/2013	<u>8</u>	DECLARATION of Diana Gray in Support re: <u>2</u> MOTION to Certify Class.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Pelaez, Jenny) (Entered: 03/12/2013)
03/12/2013	<u>9</u>	MEMORANDUM OF LAW in Support re: <u>2</u> MOTION to Certify Class.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Pelaez, Jenny) (Entered: 03/12/2013)
03/12/2013	<u>10</u>	MOTION for Preliminary Injunction. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty.(Pelaez, Jenny) (Entered: 03/12/2013)
03/12/2013	<u>11</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Cary LaCheen, Esq. in Support re: <u>10</u> MOTION for Preliminary Injunction.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit)(Pelaez, Jenny) Modified on 3/20/2013 (db). (Entered: 03/12/2013)
03/12/2013	<u>12</u>	MEMORANDUM OF LAW in Support re: <u>10</u> MOTION for Preliminary Injunction.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Pelaez, Jenny) (Entered: 03/12/2013)
03/13/2013	<u>13</u>	DECLARATION of Cary LaCheen, Esq. in Support re: <u>10</u> MOTION for Preliminary Injunction.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit, # <u>26</u> Exhibit, # <u>27</u> Exhibit, # <u>28</u> Exhibit, # <u>29</u> Exhibit, # <u>30</u> Exhibit, # <u>31</u> Exhibit, # <u>32</u> Exhibit, # <u>33</u> Exhibit, # <u>34</u> Exhibit, # <u>35</u> Exhibit, # <u>36</u> Exhibit, # <u>37</u> Exhibit, # <u>38</u> Exhibit, # <u>39</u> Exhibit, # <u>40</u> Exhibit, # <u>41</u> Exhibit, # <u>42</u> Exhibit, # <u>43</u> Exhibit, # <u>44</u> Exhibit, # <u>45</u> Exhibit, # <u>46</u> Exhibit, # <u>47</u> Exhibit, # <u>48</u> Exhibit, # <u>49</u> Exhibit, # <u>50</u> Exhibit, # <u>51</u> Exhibit, # <u>52</u> Exhibit, # <u>53</u> Exhibit, # <u>54</u> Exhibit, # <u>55</u> Exhibit, # <u>56</u> Exhibit, # <u>57</u> Exhibit, # <u>58</u> Exhibit, # <u>59</u> Exhibit, # <u>60</u> Exhibit, # <u>61</u> Exhibit, # <u>62</u> Exhibit, # <u>63</u> Exhibit, # <u>64</u> Exhibit, # <u>65</u> Exhibit, # <u>66</u> Exhibit, # <u>67</u> Exhibit, # <u>68</u> Exhibit, # <u>69</u> Exhibit, # <u>70</u> Exhibit, # <u>71</u> Exhibit, # <u>72</u> Exhibit, # <u>73</u> Exhibit, # <u>74</u> Exhibit, # <u>75</u> Exhibit, # <u>76</u> Exhibit, # <u>77</u> Exhibit, # <u>78</u> Exhibit, # <u>79</u> Exhibit, # <u>80</u> Exhibit, # <u>81</u> Exhibit, # <u>82</u> Exhibit, # <u>83</u> Exhibit, # <u>84</u> Exhibit, # <u>85</u> Exhibit, # <u>86</u> Exhibit, # <u>87</u> Exhibit, # <u>88</u> Exhibit, # <u>89</u> Exhibit, # <u>90</u> Exhibit, # <u>91</u> Exhibit, # <u>92</u> Exhibit, # <u>93</u> Exhibit, # <u>94</u> Exhibit, # <u>95</u> Exhibit, # <u>96</u> Exhibit, # <u>97</u> Exhibit, # <u>98</u> Exhibit, # <u>99</u> Exhibit, # <u>100</u> Exhibit)(Pelaez, Jenny) (Entered: 03/13/2013)

		Exhibit, # <u>25</u> Exhibit)(Pelaez, Jenny) (Entered: 03/13/2013)
03/13/2013	<u>14</u>	DECLARATION of Megan Rafferty in Support re: <u>10</u> MOTION for Preliminary Injunction.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Pelaez, Jenny) (Entered: 03/13/2013)
03/13/2013	<u>15</u>	DECLARATION of Deborah Haynes in Support re: <u>10</u> MOTION for Preliminary Injunction.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Pelaez, Jenny) (Entered: 03/13/2013)
03/13/2013	<u>16</u>	DECLARATION of Leason Jacob in Support re: <u>10</u> MOTION for Preliminary Injunction.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Pelaez, Jenny) (Entered: 03/13/2013)
03/13/2013	<u>17</u>	DECLARATION of Diana Gray in Support re: <u>10</u> MOTION for Preliminary Injunction.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Pelaez, Jenny) (Entered: 03/13/2013)
03/14/2013	<u>18</u>	SUMMONS RETURNED EXECUTED Summons and Complaint, served. Robert Doar served on 3/12/2013, answer due 4/2/2013. Document filed by Leason Jacob; Megan Rafferty; Diana Gray; Deborah Haynes. (Pelaez, Jenny) (Entered: 03/14/2013)
03/14/2013	<u>19</u>	SUMMONS RETURNED EXECUTED Summons and Complaint, served. The New York City Human Resources Administration served on 3/12/2013, answer due 4/2/2013. Document filed by Leason Jacob; Megan Rafferty; Diana Gray; Deborah Haynes. (Pelaez, Jenny) (Entered: 03/14/2013)
03/14/2013	<u>20</u>	SUMMONS RETURNED EXECUTED Summons and Complaint, served. Kristin Proud served on 3/12/2013, answer due 4/2/2013. Document filed by Leason Jacob; Megan Rafferty; Diana Gray; Deborah Haynes. (Pelaez, Jenny) (Entered: 03/14/2013)
03/14/2013	<u>21</u>	SUMMONS RETURNED EXECUTED Summons and Complaint, served. New York State Office of Temporary and Disability Assistance served on 3/12/2013, answer due 4/2/2013. Document filed by Leason Jacob; Megan Rafferty; Diana Gray; Deborah Haynes. (Pelaez, Jenny) (Entered: 03/14/2013)
03/14/2013	<u>22</u>	SUMMONS RETURNED EXECUTED Summons and Complaint, served. Nirav Shah, MD served on 3/13/2013, answer due 4/3/2013. Service was accepted by J. Mark Noorsdy, Senior Attorney. Document filed by Leason Jacob; Megan Rafferty; Diana Gray; Deborah Haynes. (Pelaez, Jenny) (Entered: 03/14/2013)
03/14/2013	<u>23</u>	SUMMONS RETURNED EXECUTED Summons and Complaint, served. New York State Department of Health served on 3/13/2013, answer due 4/3/2013. Service was accepted by J. Mark Noorsdy, Senior Attorney. Document filed by Leason Jacob; Megan Rafferty; Diana Gray; Deborah Haynes. (Pelaez, Jenny) (Entered: 03/14/2013)
03/21/2013	<u>24</u>	NOTICE OF APPEARANCE by Serena Mabel Longley on behalf of Robert Doar (Longley, Serena) (Entered: 03/21/2013)
03/26/2013	<u>25</u>	NOTICE OF APPEARANCE by Linda Fang on behalf of New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD (Fang, Linda) (Entered: 03/26/2013)
03/26/2013	<u>26</u>	NOTICE OF CHANGE OF ADDRESS by Caroline G. LaCheen on behalf of All Plaintiffs. New Address: National Center for Law and Economic Justice, 275 Seventh Avenue, Suite 1506, New York, NY, USA 10001, 212-633-6967. (LaCheen, Caroline) (Entered: 03/26/2013)
04/01/2013	<u>27</u>	ENDORSED LETTER addressed to Judge Thomas P. Griesa from Serena Longley dated 3/21/13 re: Counsel writes to request that the time for all defendants to respond to plaintiffs' motion to certify a class be extended from 3/22/13 to 4/22/13. ENDORSEMENT: Approved. Set Deadlines/Hearing as to <u>2</u> MOTION to Certify Class:(Responses due by 4/22/2013) (Signed by Judge Thomas P. Griesa on 4/1/2013) (mro) (Entered: 04/01/2013)

04/01/2013	<u>28</u>	STIPULATION AND ORDER FOR EXTENSION OF TIME: Robert Doar answer due 5/10/2013; New York State Department of Health answer due 5/10/2013; New York State Office of Temporary and Disability Assistance answer due 5/10/2013; Kristin Proud answer due 5/10/2013; Nirav Shah, MD answer due 5/10/2013; The New York City Human Resources Administration answer due 5/10/2013. (Signed by Judge Thomas P. Griesa on 4/1/2013) (cd) (Entered: 04/01/2013)
04/01/2013		Set Deadlines/Hearing as to <u>10</u> MOTION for Preliminary Injunction. <u>2</u> MOTION to Certify Class. Responses due by 5/10/2013 (cd) (Entered: 04/04/2013)
04/03/2013	<u>29</u>	NOTICE OF CHANGE OF ADDRESS by Mary Mannix on behalf of All Plaintiffs. New Address: National Center for Law and Economic Justice, 275 Seventh Ave, Suite 1506, New York, New York, USA 10001, 212-633-6967. (Mannix, Mary) (Entered: 04/03/2013)
05/08/2013	<u>30</u>	STIPULATION AND ORDER FOR EXTENSION OF TIME: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED UPON, by and among all parties through their undersigned counsel, as follows: The time for Defendants to respond to the complaint, the motion for class certification, and the motion for preliminary injunction is extended to May 10,2013. This stipulation may be executed in any number of counterparts, all of which taken together shall constitute one stipulation, and may be executed by facsimile or electronically-transmitted signature. SO ORDERED. (Signed by Judge Thomas P. Griesa on 5/08/2013) (ama) (Entered: 05/08/2013)
05/17/2013	<u>31</u>	ENDORSED LETTER addressed to Judge Thomas P. Griesa from Linda Fang dated 5/09/2013 re: I write now, on behalf of the State and City Defendants, to respectfully request an extension of time for them to respond to the complaint, the motion for class certification, and the motion for preliminary injunction, to June 21, 2013. The current deadline for these responses is May 10,2013. ENDORSEMENT: Approved., New York State Department of Health answer due 6/21/2013; New York State Office of Temporary and Disability Assistance answer due 6/21/2013; Kristin Proud answer due 6/21/2013; Nirav Shah, MD answer due 6/21/2013.(Responses due by 6/21/2013) (Signed by Judge Thomas P. Griesa on 5/17/2013) (ama) (Entered: 05/17/2013)
06/21/2013	<u>32</u>	ENDORSED LETTER addressed to Judge Thomas P. Griesa from Linda Fang dated 6/20/13 re: Counsel writes to request an extension of time to respond to the complaint, the motions for preliminary injunction and for class certification until 7/22/13. ENDORSEMENT: Approved. Set Deadlines/Hearing as to <u>10</u> MOTION for Preliminary Injunction., <u>2</u> MOTION to Certify Class:(Responses due by 7/22/2013) (Signed by Judge Thomas P. Griesa on 6/21/2013) (mro) (Entered: 06/24/2013)
08/07/2013	<u>33</u>	STIPULATION AND ORDER OF CLASS CERTIFICATION: NOW, THEREFORE, the parties agree this action should be certified as a class action pursuant to Rule 23(a) and (b)(2), on the following terms: The proposed class meets the requirements to proceed as a class action under Rule 23(a) because: (1) the number of plaintiffs is so numerous that joinder of all class members is impracticable; (2) there are questions of law or fact common to the class; (3) the claims of the named plaintiffs are typical of those of the class; and (4) the named plaintiffs and their counsel will fairly and adequately protect the interests of the class. And as set forth herein. SO ORDERED. (Signed by Judge Thomas P. Griesa on 8/07/2013) (ama) (Entered: 08/08/2013)
08/08/2013	<u>34</u>	ENDORSED LETTER addressed to Judge Thomas P. Griesa from Linda Fang dated 7/19/2013 re: The parties continue to be actively engaged in working towards a potential resolution to this action, and would like more time to continue these efforts in the coming months. Accordingly, I write now, on behalf of all defendants, to request extensions of time to respond to the complaint and the motion for preliminary injunction in the above-referenced matter, which are currently due July 22, 2013. Defendants respectfully request an extension of the deadlines to respond to the complaint and the motion to preliminary injunction until November 1, 2013. ENDORSEMENT: Approved., Robert Doar answer due 11/1/2013; New York State Department of Health answer due 11/1/2013; New York State Office of Temporary and Disability Assistance answer due 11/1/2013; Kristin Proud answer due 11/1/2013; Nirav Shah, MD answer due 11/1/2013; The New York City Human Resources Administration answer due 11/1/2013.(Responses due by 11/1/2013) (Signed by Judge Thomas P. Griesa on 8/08/2013) (ama) (Entered: 08/09/2013)

11/19/2013		Minute Entry for proceedings held before Judge Thomas P. Griesa: Settlement Conference held on 11/19/2013. Case not settled. Pretrial conference held. Submit scheduling order. (sc) (Entered: 11/21/2013)
12/02/2013	<u>35</u>	NOTICE of Proposed Order re: <u>10</u> MOTION for Preliminary Injunction.. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Text of Proposed Order Joint Proposed Order)(Pelaez, Jenny) (Entered: 12/02/2013)
12/09/2013	<u>36</u>	ORDER: dismissing <u>10</u> Motion for Preliminary Injunction. it is hereby ORDERED that: In light of the parties' continued efforts to reach a complete resolution of this matter, Plaintiffs' motion for preliminary injunctive relief is hereby dismissed without prejudice to its renewal. By January 20, 2014 and March 20, 2014, the parties shall submit a joint letter to the Court advising on the progress of their negotiations. By May 20, 2014, if no resolution is reached, the parties shall submit a proposed Rule 16(d) Scheduling Order to the Court setting a schedule for all pretrial matters, including a date by which Plaintiffs shall renew their motion for preliminary injunctive relief, a briefing schedule on that motion, dates for fact and expert discovery, and a proposed date for a preliminary injunction hearing. If the parties reach an impasse in their settlement negotiations at any time before May 20, 2014, Plaintiffs may notify the Court by letter, and renew Plaintiffs' motion for preliminary injunctive relief. SO ORDERED.(Signed by Judge Thomas P. Griesa on 12/09/2013) (ama) (Entered: 12/09/2013)
12/12/2013	<u>37</u>	MOTION for Michael P. Daly to Appear Pro Hac Vice , <i>Certificate of Service</i> . Filing fee \$ 200.00, receipt number 0208-9168030. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Daly, Michael) (Entered: 12/12/2013)
12/12/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>37</u> MOTION for Michael P. Daly to Appear Pro Hac Vice , <i>Certificate of Service</i>. Filing fee \$ 200.00, receipt number 0208-9168030. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 12/12/2013)
12/16/2013	<u>38</u>	MOTION for Joshua M. Link to Appear Pro Hac Vice , <i>Certificate of Service</i> . Filing fee \$ 200.00, receipt number 0208-9179479. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Diana Gray, Deborah Haynes, Leason Jacob, Megan Rafferty. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Link, Joshua) (Entered: 12/16/2013)
12/16/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>38</u> MOTION for Joshua M. Link to Appear Pro Hac Vice , <i>Certificate of Service</i>. Filing fee \$ 200.00, receipt number 0208-9179479. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 12/16/2013)
12/17/2013	<u>39</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>37</u> Motion for Michael P. Daly to Appear Pro Hac Vice. The motion of Michael P. Daly, for admission to practice Pro Hac Vice in the above-captioned action is granted. (Signed by Judge Thomas P. Griesa on 12/17/2013) (ama) (Entered: 12/18/2013)
12/20/2013	<u>40</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>38</u> Motion for Joshua M. Link to Appear Pro Hac Vice.The motion of Joshua M. Link, for admission to practice Pro Hac Vice in the above-captioned action is granted. (Signed by Judge Thomas P. Griesa on 12/20/2013) (ama) (Entered: 12/20/2013)
01/17/2014	<u>41</u>	LETTER addressed to Judge Thomas P. Griesa from Marc Cohan dated January 17, 2014 re: Settlement Status Update. Document filed by Megan Rafferty.(Cohan, Marc) (Entered: 01/17/2014)
03/19/2014	<u>42</u>	LETTER addressed to Judge Thomas P. Griesa from Linda Fang dated March 19, 2014 re: Update on progress of settlement discussions. Document filed by New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD.(Fang, Linda) (Entered: 03/19/2014)
04/14/2014	<u>43</u>	NOTICE OF APPEARANCE by Gregory Lee Bass on behalf of Megan Rafferty. (Bass, Gregory) (Entered: 04/14/2014)

05/22/2014	<u>44</u>	ORDER: The parties shall continue to meet and confer on a regular basis to discuss a potential resolution of this action. By 7/21/2014, and 8/20/2014, the parties shall submit joint letters to the Court advising on the progress of their negotiations. By 9/22/2014, if no resolution is reached, the parties shall submit a proposed Rule 16(d) Scheduling order to the Court, and as further set forth in this document. (Signed by Judge Thomas P. Griesa on 5/22/2014) (cd) (Entered: 05/23/2014)
07/21/2014	<u>45</u>	LETTER addressed to Judge Thomas P. Griesa from Linda Fang dated July 21, 2014 re: Update on Settlement Progress. Document filed by New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD.(Fang, Linda) (Entered: 07/21/2014)
08/19/2014	<u>46</u>	LETTER addressed to Judge Thomas P. Griesa from Linda Fang dated August 19, 2014 re: Update on Settlement Progress. Document filed by New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD.(Fang, Linda) (Entered: 08/19/2014)
09/22/2014	<u>47</u>	FIRST LETTER MOTION for Conference re: <u>44</u> Order, <i>Request for Magistrate Judge Referral</i> addressed to Judge Thomas P. Griesa from Greg Bass dated 09/22/14. Document filed by Megan Rafferty.(Bass, Gregory) (Entered: 09/22/2014)
09/24/2014	<u>48</u>	NOTICE OF APPEARANCE by Carolyn Elizabeth Kruk on behalf of Robert Doar, The New York City Human Resources Administration. (Kruk, Carolyn) (Entered: 09/24/2014)
10/07/2014	<u>49</u>	ORDER: Upon the consent of all parties, this matter is referred to United States Magistrate Judge Debra Freeman to conduct proceedings, in accordance with 28 U.S.C. § 636(b)(3), and Fed. R. Civ. P. 72(a), for the facilitation of a potential settlement in this action. SO ORDERED. (Signed by Judge Thomas P. Griesa on 10/7/2014) (ajs) (Entered: 10/07/2014)
11/04/2014		Minute Entry for proceedings held before Magistrate Judge Debra C. Freeman: Settlement Conference held via telephone on 11/4/2014. Telephone conference scheduled for 12/16/14 at 10:00 a.m. (aba) (Entered: 11/04/2014)
12/08/2014	<u>50</u>	FIRST LETTER addressed to Magistrate Judge Debra C. Freeman from Greg Bass dated 12/8/2014 re: Settlement Status. Document filed by Megan Rafferty.(Bass, Gregory) (Entered: 12/08/2014)
01/20/2015		Minute Entry for proceedings held before Magistrate Judge Debra C. Freeman: Settlement Conference held via telephone on 1/20/2015. Telephone conference scheduled for 2/11/15 at 2:00 p.m. (aba) (Entered: 01/20/2015)
02/11/2015		Minute Entry for proceedings held before Magistrate Judge Debra C. Freeman: Settlement Conference held via telephone on 2/11/2015. Telephone conference scheduled for 2/17/15 at 11:30 a.m. Settlement conference scheduled for 2/20/15 at 2:00 p.m. (aba) (Entered: 02/13/2015)
02/17/2015		Minute Entry for proceedings held before Magistrate Judge Debra C. Freeman: Settlement Conference held via telephone on 2/17/2015. (aba) (Entered: 02/18/2015)
02/19/2015	<u>51</u>	NOTICE OF APPEARANCE by John Peter Gasior on behalf of New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD. (Gasior, John) (Entered: 02/19/2015)
02/20/2015		Minute Entry for proceedings held before Magistrate Judge Debra C. Freeman: Settlement Conference held on 2/20/2015. (aba) (Entered: 02/23/2015)
03/23/2015		Minute Entry for proceedings held before Magistrate Judge Debra C. Freeman: Settlement Conference held via telephone on 3/23/2015. (aba) (Entered: 03/24/2015)
04/22/2015	<u>52</u>	LETTER MOTION to Adjourn Conference addressed to Judge Thomas P. Griesa from Greg Bass dated 4/22/15. Document filed by Megan Rafferty.(Bass, Gregory) (Entered: 04/22/2015)
05/21/2015	<u>53</u>	LETTER addressed to Judge Thomas P. Griesa from Greg Bass dated 5/21/15 re: Stipulation and Order of Settlement. Document filed by Megan Rafferty. (Attachments: # <u>1</u> Text of Proposed Order Stipulation and Order of Settlement)(Bass, Gregory) (Entered: 05/21/2015)

07/08/2015	<u>54</u>	MOTION to Approve Consent Judgment . Document filed by Megan Rafferty. (Attachments: # <u>1</u> Ex. A – Proposed Rule 23(3) Order, # <u>2</u> Ex. 1 – Notice of Proposed Class Action Settlement, # <u>3</u> Ex. 2 – Disability Providers for Class Notice Distribution, # <u>4</u> Ex. 3 – Legal Aid Providers for Class Notice Distribution)(Bass, Gregory) (Entered: 07/08/2015)
07/14/2015	<u>55</u>	ORDER PURSUANT TO FED. R. CIV. P. 23(e): A hearing pursuant to Rule 23(e) of the Federal Rules of Civil Procedure shall be held before the undersigned on 10/1/2015, for purposes of determining whether the proposed Settlement is fair, reasonable, and adequate, and should be approved by the Court. The hearing shall take place before the Honorable Thomas P. Griesa, U. S. District Court, Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 26B, New York, NY 10007–1312, and will begin at 2:00pm. (As further set forth in this Order) (Fairness Hearing set for 10/1/2015 at 02:00 PM in Courtroom 26B, 500 Pearl Street, New York, NY 10007 before Judge Thomas P. Griesa.) (Signed by Judge Thomas P. Griesa on 7/14/2015) (kl) (Entered: 07/14/2015)
07/24/2015	<u>56</u>	NOTICE of Proposed Class Action Settlement Under 28 USC section 1715. Document filed by Robert Doar, New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD, The New York City Human Resources Administration. (Kruk, Carolyn) (Entered: 07/24/2015)
07/24/2015	<u>57</u>	CERTIFICATE OF SERVICE of Notice of Proposed Class Action Settlement Under 28 USC section 1715 served on Attorneys General (see included list) on July 23, 2015. Service was made by mail. Document filed by Robert Doar, New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD, The New York City Human Resources Administration. (Kruk, Carolyn) (Entered: 07/24/2015)
09/25/2015	<u>58</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Settlement <i>Declaration of Greg Bass</i> . Document filed by Megan Rafferty.(Bass, Gregory) Modified on 10/1/2015 (db). (Entered: 09/25/2015)
10/01/2015		***NOTICE TO ATTORNEY TO RE–FILE DOCUMENT – EVENT TYPE ERROR. Notice to Attorney Gregory Lee Bass to RE–FILE Document <u>58</u> MOTION for Settlement <i>Declaration of Greg Bass</i>. Use the event type Declaration in Support of Motion found under the event list Replies, Opposition and Supporting Documents. (db) (Entered: 10/01/2015)
10/01/2015	<u>59</u>	DECLARATION of Greg Bass in Support re: <u>54</u> MOTION to Approve Consent Judgment .. Document filed by Megan Rafferty. (Bass, Gregory) (Entered: 10/01/2015)
10/01/2015		Minute Entry for proceedings held before Judge Thomas P. Griesa: Fairness Hearing held on 10/1/2015. All class plaintiffs represented by Attorney Gregory Bass, Mark Cohan, and Joshua M. Link. Defendants Robert Doar and The NYC Human resources Administration, represented by Attorney Carolyn Kruk. Defendants Kristin Proud, Niray Shad, M.D., NYS Office of Temporary and Disability Assistance, and NYS Department of Health represented by Attorneys Linda Fang and John Gasior. (Court Reporter Patricia Nilsen) (Zaepfel, Kenneth) Modified on 10/1/2015 (Zaepfel, Kenneth). (Entered: 10/01/2015)
10/05/2015	<u>60</u>	LETTER addressed to Judge Thomas P. Griesa from Carolyn Kruk dated October 5, 2015 re: Class Action Fairness Act. Document filed by Robert Doar, New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD, The New York City Human Resources Administration.(Kruk, Carolyn) (Entered: 10/05/2015)
10/05/2015	<u>61</u>	ORDER: On October 1, 2015, the court held a fairness hearing and tentatively approved from the bench the parties' proposed stipulation and order of settlement ("the order"). On October 5, 2015–before the court issued a signed version of the order–defendants informed the court that the order should not issue until October 22, 2015, after the 90–day waiting period under 28 U.S.C. § 1715(d) expires. (Dkt. No. 60.) Plaintiffs do no oppose defendants' request that the court delay issuing the order. Accordingly, the court will not issue the order until October 22, 2015. (Signed by Judge Thomas P. Griesa on 10/5/2015) (kl) (Entered: 10/05/2015)

10/23/2015	<u>62</u>	STIPULATION AND ORDER OF SETTLEMENT: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the undersigned, that this action is settled, subject to the approval of the Court pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, on the following terms and conditions: The parties shall negotiate in good faith Plaintiffs' entitlement to reasonable attorneys' fees, costs, and disbursements to be awarded to Class Counsel pursuant to 42 U.S.C. §§ 1988 and 12205 for all work through and including the execution of the Stipulation and Order. Upon the execution of this Stipulation and Order by counsel for all parties, Class Counsel shall forward to counsel for Defendants, no later than one business day thereafter, Class Counsel's time and billing records and statements of costs incurred in this action for which recovery is sought, so the parties may proceed to negotiate the amount of reasonable attorneys' fees, costs, and disbursements. As of the Effective Date, all claims contained in the Complaint, with the exception of those specifically reserved herein pursuant to paragraphs 41 and 42, shall be dismissed with prejudice. (As further set forth in this Order) (Signed by Judge Thomas P. Griesa on 10/23/2015) (kl) (Entered: 10/23/2015)
12/11/2015	<u>63</u>	STIPULATION AND ORDER OF SETTLEMENT FOR FEES AND COSTS: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Class Plaintiffs and Defendants, as represented below, as follows: 1. State Defendants agree to pay the sum of \$300,000.00 to Class Counsel for attorneys' fees, costs, and disbursements in or arising from this action. 2. City Defendant agrees to pay the sum of \$300,000.00 to Class Counsel for attorneys' fees, costs, and disbursements in or arising from this action. Payment shall be made by delivering checks, for the amounts set forth in paragraphs 1 and 2 herein, payable to the National Center for Law and Economic Justice, 275 Seventh Avenue, Suite 1506, New York, NY 10001. (As further set forth in this Order) (Signed by Judge Thomas P. Griesa on 12/11/2015) (kl) (Entered: 12/11/2015)
04/13/2018	<u>64</u>	NOTICE OF CHANGE OF ADDRESS by Linda Fang on behalf of New York State Department of Health, New York State Office of Temporary and Disability Assistance, Kristin Proud, Nirav Shah, MD. New Address: New York State Office of the Attorney General, 28 Liberty Street, New York, New York, United States 10005, (212) 416-8656. (Fang, Linda) (Entered: 04/13/2018)