

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:90-cv-00628-RWS**

Davis, et al v. New York City Housin
Assigned to: Judge Robert W. Sweet
Demand: \$0
Cause: 42:2000 Job Discrimination (Age)

Date Filed: 01/31/1990
Date Terminated: 12/24/2002
Jury Demand: None
Nature of Suit: 443 Civil Rights:
Accommodations
Jurisdiction: Federal Question

Plaintiff

Pauline Davis

represented by **Scott A. Rosenberg**
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LEAD ATTORNEY

Plaintiff

Cynthia Williams

represented by **Scott A. Rosenberg**
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V.

Defendant

New York City Housing Authority

represented by **Jeffrey Schanback**
Jeffrey Schanback, General Counsel
250 Broadway
9th floor
New York, NY 10007
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Shira A. Scheindlin
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40 Wall St
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344-5500
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Intervenor Defendant

New York City Housing Authority

Intervenor Plaintiff

Blanca Iris Hernandez
*on behalf of themselves and all other
similarly situated*

represented by **Scott A. Rosenberg**
(See above for address)
LEAD ATTORNEY

Intervenor Plaintiff

Gina Campbell
*on behalf of themselves and all others
similarly situated*

represented by **Scott A. Rosenberg**
(See above for address)
LEAD ATTORNEY

Intervenor Plaintiff

Jeanette Vargas
on behalf of themselves and all others
similarly situated

represented by **Scott A. Rosenberg**
 (See above for address)
LEAD ATTORNEY

Plaintiff

Cornelia Simmons

represented by **Scott A. Rosenberg**
 (See above for address)
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Plaintiff

Kim Rivera

represented by **Scott A. Rosenberg**
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LEAD ATTORNEY

Date Filed	#	Docket Text
01/31/1990	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); (jh) (Entered: 01/29/1992)
05/31/1990	4	AMENDED COMPLAINT by Cynthia Williams, Pauline Davis , (Answer due 6/11/90 for New York City Housin) amending [1-1] complaint against Cornelia Simmons, Kim Rivera; Summons issued. (jh) (Entered: 01/29/1992)
01/18/1991	17	Intervenor's COMPLAINT by Blanca Iris Hernandez, Gina Campbell, Jeanette Vargas against New York City Housin (jh) (Entered: 01/29/1992)
02/28/1991	21	ANSWER by New York City Housin (Attorney Shira A. Scheindlin) to amended complaint ; Firm of: Herzfeld &Rubin by attorney Shira A. Scheindlin for defendant New York City Housin (jh) (Entered: 01/29/1992)
07/30/1992	39	STIPULATION and ORDER Regarding Notice of Proposed Settlement &Hearing Purs. to Fed. R. Civ. P. 23(e), that a hearing on the fairness and adequacy of the Consent Decree shall be held on 11/6/92 at the United States Courthouse, Room 402, Foley Square, New York, New York. So Ordered. (signed by Judge Pierre N. Leval). (sc) (Entered: 07/30/1992)
10/30/1992	40	DECLARATION in support of entry of consent decree (cd) (Entered: 11/02/1992)
10/30/1992	41	MEMORANDUM by New York City Housin in support of entry of consent decree (cd) (Entered: 11/02/1992)
11/02/1992	42	DECLARATION in support of fairness and adequacy of consent decree by Cynthia Williams, Pauline Davis, Cornelia Simmons, Kim Rivera (cd) (Entered: 11/02/1992)
11/02/1992	43	MEMORANDUM by New York City Housin in support of the fairness and adequacy of the Davis settlement and the entry of the consent decree and in response to comments submitted by interested persons (cd) (Entered: 11/02/1992)
11/02/1992	46	Exhibit list by Cynthia Williams, Pauline Davis, Cornelia Simmons, Kim Rivera; exhibits to declaration of S. Rosenberg (cd) (Entered: 11/19/1992)
11/02/1992	47	Exhibit list by Cynthia Williams, Pauline Davis, Cornelia Simmons, Kim Rivera; exhibits to declaration of S. Rosenberg, vol 2 (cd) (Entered: 11/19/1992)
11/02/1992	48	Exhibit list by Cynthia Williams, Pauline Davis, Cornelia Simmons, Kim Rivera; exhibits to declaration of S. Rosenberg, vol 3 (cd) (Entered: 11/19/1992)
11/16/1992	44	ORDER, that arguments in opposition to the proposed settlemnt have been considered, and being without merit, the consent decree is approved. (signed by Judge Pierre N. Leval); Copies mailed (cd) (Entered: 11/17/1992)
11/16/1992	45	JUDGMENT # 92,2560, consent decree that within 30 days after entry of this consent decree, the Housing Authority shall pay to the Legal Aid Society, on behalf of the named plntf, \$60,000 in satisfaction of the named plntfs claims for monetary damages in Davis v NYC Housing Authority; the housing authority shall

		pay to counsel for the Davis plntf \$40,000 plus the cost of atoll-free telephone line (signed by Judge Pierre N. Leval); Mailed copies and notice of right to appeal. (cd) (Entered: 11/17/1992)
11/16/1992		Case closed (cd) (Entered: 11/17/1992)
12/30/1992	49	OPINION AND ORDER# 70868, approving the proposed Consent Decree (Signed by Judge Pierre N. Leval); Copies mailed. (jr) (Entered: 12/31/1992)
01/06/1993	50	RESPONSE by New York City Housin Re: [49-2] order (jr) (Entered: 01/06/1993)
01/06/1993	51	Letter filed dated November 10, 1992 re Objection to proposed Consent Decree. (jr) (Entered: 01/06/1993)
01/06/1993	52	Letter filed by Jawandi R. Pender to Judge Leval dated November 10, 1992 re Proposed Consent Decree (jr) (Entered: 01/06/1993)
01/06/1993	53	Letter filed from Steven M. Bernstein to Judge Leval by New York City Housin dated September 21, 1992 re Comment on Tenant Selection and Assignment Plan (jr) (Entered: 01/06/1993)
01/06/1993	54	Filed Public Comments of the Honorable Alfred C. Cerullo, III on the Consent Decree. (jr) (Entered: 01/06/1993)
01/06/1993	55	Testimony of New York City Councilman John A. Fusco in opposition to the above captioned consent decree. (jr) (Entered: 01/06/1993)
01/06/1993	56	Letter filed from John A. Fusco to Judge Leval dated September 22, 1992 re Census statistics as to Mr. Fusco's Public Comments. (jr) (Entered: 01/06/1993)
01/06/1993	57	Filed Statement of Manhattan Borough President Ruth W. Messinger in support of the Proposed Consent Decree. (jr) (Entered: 01/06/1993)
01/06/1993	58	Comments of New York City council Member jerome X. O'Donovan in opposition to the proposed Consent Decree. (jr) (Entered: 01/06/1993)
01/06/1993	59	Letter filed by Larry and Anna Hayes to Pauline Davis dated August 27, 1992 re Proposed Settlement (jr) (Entered: 01/06/1993)
01/06/1993	60	Letter filed by Jacqueline Franks to Judge Leval dated August 30, 1992 re In support of Consent Decree (jr) (Entered: 01/06/1993)
02/25/1993	61	Transcript of record of proceedings filed for dates of November 6, 1992 (jr) (Entered: 02/25/1993)
10/19/1993	62	NOTICE OF MOTION by the United States of America for an enjoining New York City Housing Authority from proceeding with its plan for tenanting the Berry Street Project as set forth in the papers submitted to this Court on October 8, 1993 , Return date 11/5/93 (jr) (Entered: 10/20/1993)
10/19/1993	63	MEMORANDUM OF LAW in support of [62-1] motion for an enjoining New York City Housing Authority from proceeding with its plan for tenanting the Berry Street Project as set forth in the papers submitted to this Court on October 8, 1993 (jr) (Entered: 10/20/1993)
10/20/1993	64	NOTICE OF CROSS MOTION by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis for permanent injunction , Return date 11/5/93 (jr) (Entered: 10/22/1993)
10/20/1993	65	MEMORANDUM OF LAW by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis in support of [64-1] cross motion for permanent injunction (jr) (Entered: 10/22/1993)
10/29/1993	66	REPLY MEMORANDUM OF LAW by New York City Housin re: Defendant's motion to clarify the consent decess and opposition to plaintiffs' cross-motion to enjoin defendant's plan to tenant the Berry Street Project. (jr) (Entered: 10/29/1993)
10/29/1993	67	AFFIDAVIT in support of Shira A. Scheindlin by New York City Housin Re: Motion to clarify the Consent Decree and in opposition to Plaintiffs' motion to

		enjoin the Housing Authority's Plan to Tenant the Berry Street project. (jr) (Entered: 10/29/1993)
10/29/1993	68	NOTICE OF MOTION by United Jewish Organizations of Williamsburg, Inc. for leave to appear as amicus curiae and serve and filed the affirmation of Paul M. Giddins, Esq., dated 10/29/93 , Return date 11/8/93 (jr) (Entered: 10/29/1993)
10/29/1993	69	MEMORANDUM OF LAW by United Jewish Organizations of Williamsburg, Inc. in support of [68-1] motion for leave to appear as amicus curiae and serve and filed the affirmation of Paul M. Giddins, Esq., dated 10/29/93 (jr) (Entered: 10/29/1993)
10/29/1993	70	ORDER TO SHOW CAUSE by New York City Housin Show Cause Hearing set for 10/19/93 as to why defendant New York City Housing Authority's motion to clarify the Consent Decree dated 12/30/92 should not be granted ; Copies mailed. (jr) (Entered: 11/02/1993)
10/29/1993	72	AFFIDAVIT of Kenneth K. Fisher by New York City Housin Re: to correct the record to the extent that affidavits and exhibits have mischaracterized my positions and discussions in which I participated.... (ys) (Entered: 11/12/1993)
11/04/1993	71	NOTICE OF MOTION for an order granting leave to the United Jewish Organizations of Williamsburg, Inc. to appear amicus curiae and serve and file the affirmation of Paul M. Giddins, Esq., dated 10/29/93 , Return date 11/5/93 (jr) (Entered: 11/12/1993)
11/16/1993	73	REPLY MEMORANDUM OF LAW by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis re: [64-1] cross motion for permanent injunction (jr) (Entered: 11/16/1993)
11/16/1993	74	DECLARATION of Martha Dusenberry Pohl in support by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis [64-1] cross motion for permanent injunction (jr) (Entered: 11/16/1993)
11/17/1993	75	AFFIDAVIT in support of Shira A. Scheindlin by New York City Housin Re: [70-1] motion as to why defendant New York City Housing Authority's motion to clarify the Consent Decree dated 12/30/92 should not be granted (jr) (Entered: 11/18/1993)
11/17/1993	76	MEMORANDUM OF LAW by New York City Housin in support of [70-1] motion as to why defendant New York City Housing Authority's motion to clarify the Consent Decree dated 12/30/92 should not be granted (jr) (Entered: 11/19/1993)
11/18/1993	77	SUPPLEMENTAL DECLARATION in opposition by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis [75-1] affidavit (jr) (Entered: 11/19/1993)
11/19/1993	78	AFFIDAVIT of Shira A. Scheindlin by New York City Housin Re: Updating original affirmation of October 28, 1993. (jr) (Entered: 11/22/1993)
12/03/1993	79	OPINION # 72444 granting [70-1] motion as to why defendant New York City Housing Authority's motion to clarify the Consent Decree dated 12/30/92 should not be granted granting [64-1] cross motion for permanent injunction, to prohibit the deft's use of dual lists for "Larger Apartments" in the tenanting of the Berry Street project. Settle order on notice (Signed by Judge Robert W. Sweet); Copies mailed. (mk) Modified on 12/08/1993 (Entered: 12/08/1993)
12/06/1993	80	Letter filed by Shira A. Scheindlin for New York City Housin dated 11/19/93 re submitting the enclosed supplemental affirmation (Dkted. & fld. per instr. of Chambers) (mk) (Entered: 12/21/1993)
12/27/1993	81	ORDER, Submit Order for settlement on 12-27-93 (signed by Judge Robert W. Sweet); Copies mailed (Also fld. in 90 civ 4873) (mk) (Entered: 12/28/1993)
12/30/1993	82	ORDER, Deft's motion fto clarify the terms of the Consent Decree to permit the deft to use transfer applicants in tenanting new projects is granted granting [62-1] motion for an enjoining New York City Housing Authority from proceeding with its plan for tenanting the Berry Street Project as set forth in the papers submitted to

		this Court on October 8, 1993, etc... (signed by Judge Robert W. Sweet); Copies mailed (mk) Modified on 07/23/2001 (Entered: 01/03/1994)
01/04/1994	83	Letter filed by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis dated 12/20/93 re counterproposal to defts' proposed order (sc) (Entered: 01/06/1994)
01/04/1994	84	Fld. Defendant's Proposed Order. (sc) (Entered: 01/06/1994)
05/02/1994	85	Transcript of record of proceedings filed for dates of November 18, 1993 (dd) (Entered: 05/03/1994)
05/04/1994	86	Transcript of record of proceedings filed for dates of 12/21/93 (rag) (Entered: 05/04/1994)
09/23/1996	87	Letter filed addressed to Judge Sweet from counsel for plttf class, dated 8/23/96 re letter of Nather Evans (emil) (Entered: 09/24/1996)
09/23/1996	88	Letter filed addressed to Judge Sweet from Nather Evans, date not indicated re to inform the Court of termination of lease (emil) (Entered: 09/24/1996)
09/24/1996	89	Filed Memo_Endorsement on letter, in view of the letter of counsel for the class of 8/23, no further action seems appropriate at this time and to the extent that this letter represents siuch a request it is denied (signed by Judge Robert W. Sweet) (cd) (Entered: 09/26/1996)
10/01/1996	90	MEMORANDUM & ORDER the Pltffs are hereby granted 30 days from the date this order is filed to make objections to the proposed changes to the TSAP. (signed by Judge Robert W. Sweet); Copies mailed (lam) (Entered: 10/02/1996)
10/01/1996	91	Letter filed to Judge Sweet from Scott A. Rosenberg for plttf. Class in Davis v. NY City Housing Auth. dated 7/19/96 re Accordingly, HUD's failure to complete its review of NYCH's proposed changes constitutes good cause for extending the time for filing formal objections to them w/in the meaning of par. 6(b). Since NYCHA has not consented to such an extension, are requesting that the Court so-order an extension of 60 days beydond the date that HUD renders a decisionon NYCHA's request for modifications. (docket &file as per chmbrs.) (ls) Modified on 10/02/1996 (Entered: 10/02/1996)
10/01/1996	92	Letter filed to Judge Sweet from Neil M. Corwin, Asst. U.S. Attny. for plttf. (in related case no. 92 civ 4873) U.S.A. dated 7/26/96 re For the reasons stated in the 7/19/96 letter, the U.S. respectfully supports the request to afford the plttf. class additional time to respond to NYCHA's proposed modifications to the TSAP. (docket &file as per chmbrs.) the (ls) (Entered: 10/02/1996)
10/01/1996	93	Letter filed to Judge Sweet from Scott A. Rosenberg for plttf. class in Davis v. NYCHA dated 8/29/96 re ...If these proposals are agreeable, we would consent to disposition of the motion along these lines. Otherwise, we request 60 days from the return date of the motion to file any objections to the change concerning local preferences, and an extension of time to file objections, if any, to the change concerning project choice to 60 days after we receive any notice that HUD approved it. We request prompt notification of any such change approved by HUD. In either event, of course, we reserve our right to bring to the Court's attention any instance in whcih NYCHA fails to comply w/ the terms of the HUD letter dtd. 7/31/96. (docket and file as per chmbrs.) (ls) (Entered: 10/02/1996)
10/01/1996	94	Letter filed to Judge Sweet from Stephen W. Goodman for New York City Housin dated 9/4/96 re Due to HUD's delay, the Housing Auth. has been forced to wait more than a yr. to begin implementing changes essential to its statutory mission and its cont'd. vitality. Pltffs. now ask the Court to rewrite the consent decree to give them a second opportunity to oppose these changes. For all the reasons set forth above, tahe Court should deny their motion. (docket and file as per chmbrs.) (ls) (Entered: 10/02/1996)
10/01/1996	95	Letter filed by Pauline Davis dated 9/9/96 re Accordingly, we ask that the C (ls) (Entered: 10/02/1996)

10/01/1996	96	Letter filed to Judge Sweet from Stephen W. Goodman for New York City Housing Auth. dated 9/11/96 re I take the unusual step of writing a sur-reply in response to Scott Rosenberg's reply letter to you dtd. 9/9/96... This sur-reply will address only this new claim, dealing first w/ plttfs' procedural impropriety, and then w/ the lack of merit to plttfs' new claim... (docket &file as per chambrs.) (ls) (Entered: 10/02/1996)
10/01/1996	97	Letter filed to Judge Sweet from Stephen W. Goodman for New York City Housin dated 9/12/96 re This is to supplement my letter to the Court from yesturday....In my rush to prepare that letter for the Clurt before oral argument, I did not have time to explain why the housing Authority changed its mind between 11/18/94, and 7/13/95, about the timing of its notice to plttfs. Since that explanation goes to the heart of the issue before the Court, it is important for the Court to have that explanation before rendering a decision... (docket &file as per chmbrs.) (ls) Modified on 10/02/1996 (Entered: 10/02/1996)
10/01/1996	98	Letter filed to Judge Sweet from Scott A. Rosenberg for plttf. Class in Davis v. NYCHA dated 9/17/96 re I write in brief reply to what has blossomed into a full flowering of surreply letters in these actions from the NYC Housing Auth. NYCHA now admits that it "changed its mind" about the timing of judicial review over TSAP changes... (docket and file as per chmbrs.) (ls) (Entered: 10/02/1996)
10/28/1996		Before J Sweet; Pre-trial conference held (cd) (Entered: 10/29/1996)
11/15/1996	99	NOTICE OF MOTION by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis preliminarily enjoining modifications to the Tenant Selection and Assignment Plan ("TSAP") of the New York city Housing Authority until plaintiffs' objections to such modifications can be resolved.... , Return date 12/18/96 (pl) (Entered: 11/19/1996)
11/15/1996	99	AFFIDAVIT of Leonard A. Cupingood, Ph.D Re: [99-1] motion preliminarily enjoining modifications to the Tenant Selection and Assignment Plan ("TSAP") of the New York city Housing Authority until plaintiffs' objections to such modifications can be resolved.... (pl) (Entered: 11/19/1996)
11/15/1996	99	DECLARATION of Scott A. Rosenberg Re: [99-1] motion preliminarily enjoining modifications to the Tenant Selection and Assignment Plan ("TSAP") of the New York city Housing Authority until plaintiffs' objections to such modifications can be resolved.... (pl) (Entered: 11/19/1996)
11/15/1996	100	MEMORANDUM by Plaintiff Class in Davis in support of [99-1] motion preliminarily enjoining modifications to the Tenant Selection and Assignment Plan ("TSAP") of the New York city Housing Authority until plaintiffs' objections to such modifications can be resolved.... (pl) (Entered: 11/19/1996)
12/04/1996	101	Letter filed dated 12/03/96 to Judge Sweet from Scott A. Rosenberg (djc) (Entered: 12/04/1996)
12/05/1996	102	ORDER, reset NYCHA's opposition to plaintiffs motion for a preliminary injunction service deadline for 1/8/97 , reset Plaintiffs reply papers service deadline for 1/29/97 , reset oral argument set for 12:00 2/5/97 ...So Ordered....(signed by Judge Robert W. Sweet); Copies mailed (pl) (Entered: 12/06/1996)
01/15/1997	103	AFFIDAVIT of David W. Peterson, Phd. by New York City Housing Authority in response to the 11/14/96 affidavit of Leonard A. Cupingood re [99-1] affidavit (lam) (Entered: 01/15/1997)
01/15/1997	104	AFFIDAVIT of Ruben Franco, Chairman of the Board of the New York City Housing Authority. (lam) (Entered: 01/15/1997)
01/15/1997	105	MEMORANDUM OF LAW by New York City Housin in opposition to Plaintiffs' Objections to the Tenant Selection and Assignment Plan and Motionfor a Preliminary Injunction. (djc) (Entered: 01/15/1997)
01/30/1997	106	REPLY MEMORANDUM by Pauline Davis re: objections to and motin to enjoin proposed chnages by deft (cd) (Entered: 02/04/1997)

01/30/1997	107	AFFIDAVIT in support of L. Cupingood by Pauline Davis Re: [106-1] reply memorandum (cd) (Entered: 02/04/1997)
02/13/1997	108	ORDER, NYCHA is ordered to provide a courtesy copy of its papers to the Court on 2/26/97 , NYCHA's Response to motion reset to 3/5/96 for [99-1] motion preliminarily enjoining modifications to the Tenant Selection and Assignment Plan ("TSAP") of the New York city Housing Authority until plaintiffs' objections to such modifications can be resolved.... , Pltffs. Reply to Response to Motion reset to 3/10/97 for [99-1] motion preliminarily enjoining modifications to the Tenant Selection and Assignment Plan ("TSAP") of the New York city Housing Authority until plaintiffs' objections to such can be resolved.... , reset oral argument set for 4/2/97 (signed by Judge Robert W. Sweet); Copies mailed (ls) (Entered: 02/13/1997)
03/07/1997	109	SECOND MEMORANDUM by New York City Housin in opposition to plntffs' objections to the tenant selection and assignment plan and motion for a preliminary injunction (cd) (Entered: 03/10/1997)
03/07/1997	110	AFFIDAVIT in support of W. Steinmann by New York City Housin Re: [109-1] opposition memorandum (cd) (Entered: 03/10/1997)
03/07/1997	111	AFFIDAVIT in support of D. Peterson by New York City Housin Re: [109-1] opposition memorandum (cd) (Entered: 03/10/1997)
03/10/1997	112	SECOND REPLY MEMORANDUM by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis re: in opposition to proposed tenant selection and assignment plan charges. Fld in night deposit on 3/10/97 at 9:07 p.m. (emil) Modified on 03/11/1997 (Entered: 03/11/1997)
03/10/1997	113	DECLARATION of Martha Cruz Re: in support of [99-1] motion preliminarily enjoining modifications to the Tenant Selection and Assignment Plan ("TSAP") of the New York city Housing Authority until plaintiffs' objections to such can be resolved; in support of pltffs' objections to proposed changes by the NYCHA to its Tenant Selection and Assignment Plan. Fld in night deposit on 3/10/97 at 9:07 p.m. (emil) (Entered: 03/11/1997)
04/02/1997		Before J Sweet; Pre-trial conference held (cd) (Entered: 04/02/1997)
07/18/1997	114	OPINION # 78950 denying [99-1] motion preliminarily enjoining modifications to the Tenant Selection and Assignment Plan ("TSAP") of the New York city Housing Authority until plaintiffs' objections to such modifications can be resolved.... (Signed by Judge Robert W. Sweet); Copies mailed. (ae) (Entered: 07/21/1997)
08/01/1997	115	Faxed Letter filed by Scott A. Rosenberg, Director of Litigation at The Legal Aid Society, attys for pltffs dated 2/4/97 re urging that oral argument on the preliminary injunction proceed on schedule tomorrow 2/5/97. (lam) Modified on 08/05/1997 (Entered: 08/05/1997)
08/01/1997	116	Letter filed by Stephen W. Goodman, atty for New York City Housing Authority dated 4/11/97 re responding more fully to inquiries posed by Judge Sweet at oral argument and to statements made by pltffs' counsel in his rebuttal. (lam) (Entered: 08/05/1997)
08/01/1997	117	Letter filed by Scott A. Rosenberg of The Legal Aid Society, attys for Pauline Davis, Jeanette Vargas, Gina Campbell, Blanca Iris Hernandez, Kim Rivera, Cornelia Simmons, Cynthia Williams dated 4/17/97 re in response to the letter, dated 4/11/97, submitted by deft NYC Housing Authority without leave of court 9 days after oral argument in this case. (lam) (Entered: 08/05/1997)
08/04/1997	118	NOTICE OF MOTION by New York City Housing Authority for reconsideration of [114-1] order . (kw) Modified on 08/08/1997 (Entered: 08/06/1997)
08/04/1997	119	MEMORANDUM by New York City Housing in support of [118-1] motion for reconsideration of [114-1] order. (kw) (Entered: 08/06/1997)
08/15/1997	120	NOTICE OF APPEAL by New York City Housin ; from [114-1] order . Copies of notice of appeal mailed to Attorney(s) of Record: Scott A. Rosenberg, Valerie R. O'Brian, Esq. and Neil M. Corwin, Esq. \$105.00 Appeal filing fee paid on receipt #

		E 294934 on August 15, 1997. (dt) (Entered: 08/18/1997)
08/15/1997	121	MEMORANDUM by Pauline Davis in opposition to [118-1] motion for reconsideration of [114-1] order (sac) (Entered: 08/18/1997)
08/25/1997	122	REPLY MEMORANDUM of LAW by New York City Housin re: in Further Support of [118-1] motion for reconsideration of [114-1] order (dj) (Entered: 08/27/1997)
10/24/1997	123	Filed Memo Endorsement on letter to Judge Sweet from Scott Rosenberg, dated 10/23/97, extending time to 10/30/97 for plntf to respond to defts' Notice of Settlement and Proposed Order (signed by Judge Robert W. Sweet) (cd) Modified on 10/28/1997 (Entered: 10/27/1997)
10/31/1997	124	MEMORANDUM OF LAW by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis in opposition to defendant's proposed order and in support of plaintiffs' proposed order. (ae) (Entered: 11/05/1997)
10/31/1997	125	AFFIDAVIT in further support of Leonard A. Cupingood by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis to Re: plaintiffs' objections to proposed charges to the N.Y.C.H.A's (TSAP). (ae) Modified on 11/05/1997 (Entered: 11/05/1997)
11/13/1997	126	Letter filed dated 09/18/97 to Judge Sweet from Stephen W. Goodman in re: response to plaintiff's letter of September 5, 1997. (dj) (Entered: 11/17/1997)
11/13/1997	127	Letter filed by New York City Housing to Judge Sweet dated 11/5/97, re: opposing plaintiffs' proposed order submitted to the Court on 10/30/97, accompanied by a memorandum of law and a new affidavit from Leonard Cupingood (ae) (Entered: 11/17/1997)
11/13/1997	128	UNSIGNED ORDER, regarding steps to be taken by Housing Authority. (ae) (Entered: 11/17/1997)
11/13/1997	129	Letter filed by Henry Schoenfeld, attorney for New York City Housing dated 10/16/97 regarding proposed order. (kw) (Entered: 11/17/1997)
11/13/1997	130	Letter filed by Henry Schoenfeld New York City Housing dated 10/24/97 regarding objection to Davis plaintiffs' 10/24/97 letter application for another extension of the deadline to respond to the Housing Authority's proposed order in the litigation. (kw) (Entered: 11/17/1997)
11/13/1997	132	Letter filed by New York City Housin dated 9/5/97 re in support of NYCHA's pending motion to reargue (ls) (Entered: 11/17/1997)
11/13/1997	133	UNSIGNED ORDER, the Housing Authority may implement the working-family preference as proposed, provided that families with priority codes L3 and F3 may not select or be certified to any project where white families constitute more than 30% of the families at the project; the Housing Authority may extend limited project choice to families requiring three of four-bedroom apartments ; (docket & filed as per instructions of chambers) (sac) Modified on 11/20/1997 (Entered: 11/17/1997)
11/13/1997	134	Letter filed by New York City Housing, dated 11/3/97 re plntf's proposed order of 10/30/97 (cd) (Entered: 11/18/1997)
11/13/1997	135	Letter filed by Pauline Davis dated 10/17/97 re response to proposed order extended to 10/24/97 (cd) (Entered: 11/18/1997)
11/13/1997	136	Letter filed dated 09/24/97 to Judge Sweet from Scott Rosenberg (dj) (Entered: 11/21/1997)
11/17/1997	131	OPINION #79624 denying [118-1] motion for reconsideration of [114-1] order; the preliminary injunction is modified as set forth in this Opinion (Signed by Judge Robert W. Sweet); Copies mailed. (ae) (Entered: 11/17/1997)
11/20/1997	137	AMENDMENT/MEMORANDUM OPINION #79624, the opinion of this Court in this action dated 11/13/97 is amended as follows: on page 5, second paragraph, line 4, after the word "overlooked," footnote 1 will be deleted (Signed by Judge Robert

		W. Sweet); Copies mailed. (kw) (Entered: 11/21/1997)
12/03/1997	138	AMENDED NOTICE OF APPEAL by New York City Housin ; from [131-1] order the preliminary injunction is modified as set forth in this Opinion, [131-2] order . Copies of notice of appeal mailed to Attorney(s) of Record: Scott A. Rosenberg, Esq., Valerie R. O'Brian, Esq. and Neil M. Corwin, Esq. (dt) (Entered: 12/03/1997)
12/10/1997	139	Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals: [138-1] appeal by New York City Housin, [120-1] appeal by New York City Housin (as) Modified on 12/10/1997 (Entered: 12/04/1997)
02/10/1999		Pre-trial conference held and concluded before Judge Sweet on 2/10/99, hearing set for 4/14/99 at 9:30 a.m. (ls) (Entered: 02/17/1999)
02/18/1999	140	MANDATE OF USCA (certified copy) Re: [138-1] appeal by New York City Housin, [120-1] appeal by New York City Housin. It is now hereby ordered, adjudged and decreed that the orders of said district court be and they hereby are vacated and remanded to said district court for further proceedings. (97-9006) Carolyn Clark Campbell, CLerk, USCA. (as) (Entered: 02/22/1999)
02/18/1999		Case reopened (as) (Entered: 02/22/1999)
03/18/1999	141	MEMORANDUM of law by New York City Housing to lift the preliminary injunction barring the working-family preference. Exhibits attached. (jp) (Entered: 03/19/1999)
03/19/1999	142	BRIEF (for plaintiff Class in David) in Support of the Application of the Plaintiff Class to Make the Injunction in this Action Permanent. (dj) (Entered: 03/24/1999)
03/19/1999	143	AFFIDAVIT of Leonard A. Cupingood (dj) (Entered: 03/25/1999)
04/09/1999	144	Filed Memo-Endorsement on letter to Judge Sweet from Henry Schoenfeld dated 4/2/99; granting counsel for depts request for an adjournment of the remaining deadlines in the proceedings as follows: the Housing Auth. contends that the injunction should be lifted immediately so that the working-family preference can be implemented at all Housing Auth. developments; conversely, plttfs argue that a permanent injunction should be granted; both sides will respond to ea. other's initial submissions by 4/28/99 and appear in Court on 5/5/99 for oral argument or an evidentiary hearing as appropriate ; (signed by Judge Robert W. Sweet) (ls) (Entered: 04/12/1999)
04/29/1999	145	Filed Memo-Endorsement on letter addressed to Judge Sweet from Henry Schoenfeld, dated 4/26/99; granting counsel for the depts request for an additional one-week adjournment of the remaining deadlines in this matter (signed by Judge Robert W. Sweet) (jp) (Entered: 04/30/1999)
05/05/1999	146	THIRD AFFIDAVIT of David W. Peterson by New York City Housin Re: his response to [143-1] affidavit (ls) (Entered: 05/06/1999)
05/05/1999	147	MEMORANDUM by New York City Housin in opposition to plttfs' application for a permanent injunction, and in further support of the Housing Auth's. application to lift the preliminary injunction (ls) (Entered: 05/06/1999)
05/07/1999	148	OPPOSITION BRIEF by Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis re: [141-1] memorandum (ri) (Entered: 05/10/1999)
06/15/1999		Pretrial Conference held before Judge Robert W. Sweet on 6/15/99. (CONTESTED ISSUE) (sac) (Entered: 06/18/1999)
06/24/1999	149	FOURTH AFFIDAVIT of David W. Peterson by New York City Housin Re: a response to the 6/17/99 affidavit of Leonard A. Cupingood. (jp) (Entered: 06/24/1999)
07/01/1999	150	FIFTH AFFIDAVIT of David W. Peterson Re: a response to the 6/25/99 affidavit of Leonard A. Cupingood. (jp) Modified on 07/06/1999 (Entered: 07/06/1999)
07/28/1999	151	AFFIDAVIT of Leonard A. Cupingood by plttfs Re: in response to [146-1] affidavit (ls) (Entered: 07/29/1999)

07/28/1999	152	AFFIDAVIT of Leonard A. Cupingood by plttfs Re: in response to assertions made by Dr. David Peterson in his affdvt. dtd. 6/22/99, re the operation of the N.Y.C. Housing Auth's. Working Family Preference during 1998 (ls) (Entered: 07/29/1999)
07/28/1999	153	AFFIDAVIT of Leonard A. Cupingood by plttfs Re: in response to new calculations set forth by Dr. David Peterson in his affdvt. dtd. 6/30/99 in which he attempts to eliminate the "Pipeline Effect" that Leonard A. Cupingood discussed in his 6/25/99 affdvt. (ls) (Entered: 07/29/1999)
08/09/1999	155	Expert Report of Leonard Cupingood. (pl) (Entered: 08/13/1999)
08/11/1999	154	Transcript of record of proceedings filed for dates of 6/18/99 (mr) (Entered: 08/11/1999)
08/16/1999	156	AFFIDAVIT of David W. Peterson by New York City Housing (ri) (Entered: 08/17/1999)
08/18/1999	157	OPINION #82726, once again before the Court, this time on remand, is the motion by Pauline Davis, et al (the Davis plaintiffs) to enjoin the defendant New York City Housing Authority from implementing the Working Family Preference contained in its proposed changes to its Tenant Selection and Assignment Plan incorporated by reference in the Consent Decree in this action. In Addition, NYCHA has moved to lift the preliminary injunction previously issued. Upon the finding and conclusions set forth in this opinion, the motion of the Davis Plaintiffs is granted, and the preliminary injunction is made permanent. The NYCHA's motion is denied (Signed by Judge Robert W. Sweet); Copies mailed.(ri) Modified on 08/23/1999 (Entered: 08/19/1999)
09/03/1999	158	NOTICE OF APPEAL by New York City Housin ; from [157-1] order once again before the Court, this time on remand, is the motion by Pauline Davis, et al (the Davis plaintiffs) to enjoin the defendant New York City Housing Authority from implementing the Working Family Preference contained in its proposed changes to its Tenant Selection and Assignment Plan incorporated by reference in the Consent Decree in this action. In Addition, NYCHA has moved to lift the preliminary injunction previously issued. Upon the finding and conclusions set forth in this opinion, the motion of the Davis Plaintiffs is granted, and the preliminary injunction is made permanent. The NYCHA's motion is denied, [157-2] order . Copies of notice of appeal mailed to Attorney(s) of Record: Scott A. Rosenberg, Esq. and Neil M. Corwin, Esq. \$105.00 Appeal filing fee paid September 3, 1999 on receipt # E 353794. (dt) (Entered: 09/03/1999)
09/03/1999		Notice of appeal and certified copy of docket to USCA: [158-1] appeal by New York City Housin ; Copy of notice of appeal sent to District Judge. (dt) (Entered: 09/03/1999)
09/10/1999	159	STIPULATION and ORDER, extending time for serving any motion for attorney's fees by an party to 30 days from the date on which the order of the district court in this matter, or the order of any appellate court reviewing the district court order, becomes final and non-appealable (signed by Judge Robert W. Sweet) (cd) (Entered: 09/13/1999)
10/05/1999	160	Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals: [158-1] appeal by New York City Housin, [138-1] appeal by New York City Housin. (dt) (Entered: 10/05/1999)
11/17/1999	161	Notice of Letter MOTION by the Plaintiff Class, for an order to enforce 45(i) of the Consent Decree, which requires the NYCHA to provide a copy of its Tenant Statistics by Race report for January through June 1999 because of HUD reporting requirements and the need to address Y2K compliance issues , Return date not indicated (ri) (Entered: 11/18/1999)
11/17/1999	162	Letter filed by New York City Housin addressed to Judge Sweet from Stephen W. Goodman, dated 11/9/99, re: an answer to a motion brought by plttfs in a letter dated 10/26/99. (jp) (Entered: 11/18/1999)
02/29/2000	163	MANDATE OF USCA (certified copy) Re: Remand [158-1] appeal by New York City Housin. It is hereby ordered, adjudged and decreed that this matter is

		remanded to the district court for supplementation of the record. 99-6238 Roseann B. MacKechnie, Clerk (sl) (Entered: 03/01/2000)
04/05/2000		Pretrial Conference held before Judge Robert W. Sweet. Contested issue: yes. (sn) (Entered: 04/10/2000)
04/14/2000	164	MEMORANDUM by Pauline Davis re: remand from order of the Second Circuit Court of Appeals (cd) (Entered: 04/17/2000)
04/14/2000	165	SEVENTH AFFIDAVIT of David Peterson Re: Summary Order of the USCA, fld 2/23/00 (cd) (Entered: 04/17/2000)
04/14/2000	166	AFFIDAVIT of Leonard Cupingood by Pauline Davis Re: USCA summary order of 2/23/00 (cd) (Entered: 04/17/2000)
04/18/2000	167	STIPULATION and ORDER; in response to the Second Circuit's summary order filed 2/23/00, the parties will serve their initial submissions by personal delivery or facsimile transmission by 4/13/00. Responsive submissions, if any, shall be served by personal delivery or facsimile transmission by 4/28/00 . The District Court will hear oral argument on 5/3/00 . (signed by Judge Robert W. Sweet) (sn) (Entered: 04/20/2000)
05/01/2000	168	RESPONSE MEMORANDUM by New York City Housin re: [167-1] order in response to the Second Circuit's summary order filed 2/23/00, the parties will serve their initial submissions personal delivery or facsimile transmission by 4/13/00. Responsive submissions, if any, shall be served by personal delivery or facsimile transmission by 4/28/00 (fld in the night deposit box on 5/1/00 at 5:13 p.m.) (cd) (Entered: 05/02/2000)
05/01/2000	169	EIGHTH AFFIDAVIT of David W. Peterson. Received in night deposit on 5/1/00 at 5:13 p.m. (jp) (Entered: 05/02/2000)
05/02/2000	170	REPLY AFFIDAVIT of Leonard A. Cupingood by Kim Rivera, Cornelia Simmons, Cynthia Williams, Jeanette Vargas, Gina Campbell, Blanca Iris Hernandez, Pauline Davis Re: Seventh affidavit of David W. Peterson dated 4/12/00. (sn) (Entered: 05/03/2000)
05/02/2000	171	REPLY MEMORANDUM of law on remand from the Second Circuit Court of Appeals by Jeanette Vargas, Gina Campbell, Blanca Iris Hernandez, Kim Rivera, Cornelia Simmons, Cynthia Williams, Pauline Davis. (sn) (Entered: 05/03/2000)
06/30/2000	172	True Copy of Order from the USCA as to New York City Housin, Pauline Davis RE: [138-1] appeal by New York City Housin the Court has directed that following this notification, jurisdiction of the appeal will be automatically restored to the Court, and reassigned to the same panel, without a need for either party to file a new notice of appeal. 90cv628, Roseann B. Mackechnie, Clerk. (sl) (Entered: 07/06/2000)
09/15/2000	173	NOTICE of change of address of counsel to New York City Housing. (djc) (Entered: 09/18/2000)
03/07/2002	174	MANDATE OF USCA (certified copy) Re: [120-1] appeal by New York City Housing. On consideration whereof, it is hereby ordered, adjudged, and decreed that the judgment of said district court be and it hereby is affirmed in part and revrsed in part in accordance with the opinion of this Court. Issued as mandate: 2/28/02, 99-6338 Roseann B. MacKechnie, Clerk, U.S.C.A. (rmo) (Entered: 03/08/2002)
07/16/2002	175	STIPULATION and ORDER; that plttfs time to move for atty fees and costs is extended to 8/2/02. Deft shall serve answering papers on or before 8/16/02. Plttfs shall serve reply papers on or before 8/30/02 . (signed by Judge Richard M. Berman) (jp) (Entered: 07/17/2002)
08/02/2002	176	NOTICE OF MOTION by Pauline Davis for an order, awarding plttfs' counsel atty's fees, costs and expenses purs. to 42 U.S.C. 1988 and 3613(c)(2) in the amount of \$568,725.81 ; Return Date 9/4/02 at 9:30. Declaration of Scott A. Rosenberg; Declaration of Judith Goldiner; Declaration of James Herschlein attached. (sac) (Entered: 08/08/2002)

08/02/2002	177	MEMORANDUM OF LAW by Pauline Davis in support of [176-1] motion for an order, awarding plttfs' counsel atty's fees, costs and expenses purs. to 42 U.S.C. 1988 and 3613(c)(2) in the amount of \$568,725.81. (sac) (Entered: 08/08/2002)
08/21/2002	178	Memo-Endorsement on letter addressed to Judge Sweet from Henry Schoenfeld, dated 8/13/02. Housing Authority's Response to Motion reset for 8/23/02 re: [176-1] motion for an order, awarding plttfs' counsel atty's fees, costs and expenses purs. to 42 U.S.C. 1988 and 3613(c)(2) in the amount of \$568,725.81 ; plaintiffs' Reply to Response to Motion reset for 9/13/02 re: [176-1] motion for an order, awarding plttfs' counsel atty's fees, costs and expenses purs. to 42 U.S.C. 1988 and 3613(c)(2) in the amount of \$568,725.81 . (signed by Judge Robert W. Sweet); Copies mailed. (kw) (Entered: 08/26/2002)
09/03/2002	179	MEMORANDUM OF LAW by New York City Housin in opposition to [176-1] motion for an order, awarding plttfs' counsel atty's fees, costs and expenses purs. to 42 U.S.C. 1988 and 3613(c)(2) in the amount of \$568,725.81 . (gf) (Entered: 09/06/2002)
09/03/2002	180	DECLARATION of Henry Schoenfeld by New York City Housin in opposition Re: [176-1] motion for an order, awarding plttfs' counsel atty's fees, costs and expenses purs. to 42 U.S.C. 1988 and 3613(c)(2) in the amount of \$568,725.81. (gf) (Entered: 09/06/2002)
09/26/2002	181	Memo-Endorsement on letter addressed to Judge Sweet from Scott Rosenberg, dated 09/24/02; Plaintiff's Reply to Response to Motion reset for 10/18/02 re: [176-1] motion for an order, awarding plttfs' counsel atty's fees, costs and expenses purs. to 42 U.S.C. 1988 and 3613(c)(2) in the amount of \$568,725.81 ; reset oral argument on motion for 10/23/02 ; (signed by Judge Robert W. Sweet); (djc) (Entered: 10/01/2002)
10/21/2002	182	Plaintiffs' REPLY Declaration of Scott A. Rosenberg to provie a factual foundation for certain arguments set forth in plaintiffs' reply memorandum of law dated October 18, 2002. (docmt received in night dep. on 10/18/.02 at 5:46 p.m.; (djc) (Entered: 10/24/2002)
10/21/2002	183	Plaintiff's REPLY MEMORANDUM of LAW in support re: [176-1] motion for an order, awarding plttfs' counsel atty's fees, costs and expenses purs. to 42 U.S.C. 1988 and 3613(c)(2) in the amount of \$568,725.81 . (djc) (Entered: 10/24/2002)
12/10/2002	184	Letter filed by New York City Housin addressed to Judge Robert W. Sweet from Henry Schoenfeld, dated 10/22/02, re: response to plttfs' motion for atty. fees. (dle) (Entered: 12/13/2002)
12/11/2002	185	MEMORANDUM OPINION #87808; in light of the foregoing, the plaintiffs shall receive \$306,467.75 in attorney's fees, \$2,273.74 in Westlaw fees, \$70.33 in long distance telephone charges, and \$84.50 in travel and postage charges, for a total of \$308,896.32 in attorney's fees, costs and expenses ; (signed by Judge Robert W. Sweet); (djc) (Entered: 12/16/2002)
12/24/2002	186	Case closed administratively Pursuant to Memorandum From the Administrative Office of the United States Courts, Dated June 15th, 1973. (ae) (Entered: 12/26/2002)