

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:10-cv-05653-DAB-HBP**

United Spinal Association et al v. Board of Elections in the City of New York et al
Assigned to: Judge Deborah A. Batts
Referred to: Magistrate Judge Henry B. Pitman
Cause: 42:12131 Americans with Disabilities Act of 1990

Date Filed: 07/26/2010
Date Terminated: 03/10/2015
Jury Demand: Defendant
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

United Spinal Association
a nonprofit organization

represented by **Julia Miriam Pinover**
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Plaintiff

Disabled in Action
a nonprofit organization

represented by **Julia Miriam Pinover**
(See above for address)
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Sid Wolinsky
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Stuart John Seaborn
 (See above for address)
PRO HAC VICE
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V.

Defendant

Board of Elections in the City of New York

represented by **Stephen Edward Kitzinger**
 New York City Law Depart. Office of the
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ATTORNEY TO BE NOTICED

Defendant

Julia Dent
*in her official capacity as President of the
 Board of Elections in the City of New
 York*

represented by **Stephen Edward Kitzinger**
 (See above for address)
LEAD ATTORNEY
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Miscellaneous

New York City Department of Education

represented by **Alan Maer Schlesinger**
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Date Filed	#	Docket Text
01/05/2010		TRANSCRIPT of proceedings held on October 27, 2010 at 11:12 a.m. before Judge Deborah A. Batts. (js) (Entered: 11/09/2010)
07/26/2010	<u>1</u>	COMPLAINT against Board of Elections in the City of New York, Julia Dent. (Filing Fee \$ 350.00, Receipt Number 910469) Document filed by United Spinal Association, Disabled in Action.(ama) (ama). (Entered: 07/27/2010)
07/26/2010		SUMMONS ISSUED as to Board of Elections in the City of New York, Julia Dent. (ama) (Entered: 07/27/2010)
07/26/2010		Magistrate Judge Henry B. Pitman is so designated. (ama) (Entered: 07/27/2010)
07/26/2010		Case Designated ECF. (ama) (Entered: 07/27/2010)
07/26/2010	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Disabled in Action, United Spinal Association.(ama) (ama). (Entered: 07/27/2010)

07/28/2010		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Julia Miriam Pinover 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, <u>2</u> Rule 7.1 Corporate Disclosure Statement to: case_openings@nysd.uscourts.gov. (rdz) (Entered: 07/28/2010)
08/11/2010	<u>3</u>	AFFIDAVIT OF SERVICE. Board of Elections in the City of New York served on 8/11/2010, answer due 9/1/2010. Service was accepted by Sylvia Ancram. Document filed by United Spinal Association; Disabled in Action. (Pinover, Julia) (Entered: 08/11/2010)
08/12/2010	<u>4</u>	AFFIDAVIT OF SERVICE. Service was accepted by Sylvia Ancram. Document filed by United Spinal Association, Disabled in Action. (Pinover, Julia) (Entered: 08/12/2010)
08/12/2010	<u>5</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT – FIRST MOTION for Limited Admission of <i>Sid Wolinsky (Pro Hac Vice)</i> . Document filed by Disabled in Action, United Spinal Association.(Pinover, Julia) Modified on 8/16/2010 (lb). (Entered: 08/12/2010)
08/13/2010	<u>6</u>	MOTION for Sid Wolinsky to Appear Pro Hac Vice. Document filed by Disabled in Action, United Spinal Association.(mbe) (Entered: 08/16/2010)
08/17/2010		CASHIERS OFFICE REMARK on <u>6</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 08/13/2010, Receipt Number 911862. (jd) (Entered: 08/17/2010)
08/19/2010	<u>7</u>	NOTICE OF APPEARANCE by Stephen Edward Kitzinger on behalf of Board of Elections in the City of New York, Julia Dent (Kitzinger, Stephen) (Entered: 08/19/2010)
08/24/2010	<u>8</u>	ENDORSED LETTER addressed to Judge Deborah A. Batts from Stephen Kitzinger, dated 8/20/10 re: Counsel to defendants request a 30-day extension of time until September 27, 2010 to respond to the complaint. ENDORSEMENT: Granted. Board of Elections in the City of New York answer due 9/27/2010; Julia Dent answer due 9/27/2010. (Signed by Judge Deborah A. Batts on 8/24/10) (djc) Modified on 8/27/2010 (djc). (Entered: 08/25/2010)
08/26/2010	<u>9</u>	MOTION for Ronald Elsberry to Appear Pro Hac Vice. Document filed by Disabled in Action, United Spinal Association.(mbe) (Entered: 08/30/2010)
09/02/2010	<u>10</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>9</u> Motion for Ronald Elsberry to Appear Pro Hac Vice for Plaintiffs. (Signed by Judge Deborah A. Batts on 9/2/2010) (tro) (Entered: 09/02/2010)
09/07/2010		CASHIERS OFFICE REMARK on <u>9</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 08/26/2010, Receipt Number 913053. (jd) (Entered: 09/07/2010)
09/15/2010	<u>11</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>6</u> Motion for Sid Wolinsky to Appear Pro Hac Vice. Counsel shall forward the pro hac vice fee to the Clerk of Court. (Signed by Judge Deborah A. Batts on 9/15/10) (djc) (Entered: 09/15/2010)
09/28/2010	<u>12</u>	ORDER TO SHOW CAUSE filed by Disabled in Action, United Spinal Association. Defendants Board of Elections in the City of NY and Julie Dent, in her official capacity as its President shall show cause as to why pursuant to Rule 65 of the Federal Rules of Civil Procedure, enter an order pending final resolution of this action. Show Cause Hearing set for 10/20/2010 at 11:00 AM in Courtroom 24B, 500 Pearl Street, New York, NY 10007 before Judge Deborah A. Batts. Sufficient cause having been shown, service of this Order to Show Cause, together with the papers on which it was granted, will be deemed good and sufficient service if made by personal delivery on counsel for Defendants, on or before 4:00 p.m. on September 29, 2010; Any papers in opposition to the application for preliminary injunctive relief shall be served on Plaintiffs' counsel and on this Court on or before 4:00 p.m. on October 12, 2010; (Signed by Judge Deborah A. Batts on 9/28/10) (djc) (Entered: 09/29/2010)
09/29/2010	<u>13</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Text of Proposed

		Order)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>14</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Gisell Claudio in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>15</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Henry Lee in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>16</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Linda Ostreicher in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>17</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Rima McCoy in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (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)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>18</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Michael Collins in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>19</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Pat Bianchi in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>20</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Philip Dyson in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>21</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Celine Perez in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>22</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – AFFIDAVIT of Julia Pinover in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (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)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>23</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – SECOND MEMORANDUM OF LAW in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Text of Proposed Order)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>24</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Jen Halbert in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>25</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Rima McCoy in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>26</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Andrew D. Schwarz in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit 1, #

		<u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010	<u>27</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Michael Waterstone in Support re: <u>13</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Pinover, Julia) Modified on 10/1/2010 (db). (Entered: 09/29/2010)
09/29/2010		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Julia Miriam Pinover to RE–FILE Document <u>13</u> FIRST MOTION for Preliminary Injunction. Use the event type Memorandum in Support of Motion found under the event list Replies, Opposition and Supporting Documents. ***NOTE TO ATTORNEY*** – The Document that is Attachment #1 to this Memorandum IS THE MOTION FOR A PRELIMINARY INJUNCTION. Re–File that Document as the Motion first, then file and link all supporting documents. (db) (Entered: 10/01/2010)
09/29/2010		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Julia Miriam Pinover to RE–FILE Document <u>23</u> Memorandum of Law in Support of Motion, <u>19</u> Declaration in Support of Motion, <u>16</u> Declaration in Support of Motion, <u>27</u> Declaration in Support of Motion, <u>18</u> Declaration in Support of Motion, <u>26</u> Declaration in Support of Motion, <u>21</u> Declaration in Support of Motion, <u>20</u> Declaration in Support of Motion, <u>17</u> Declaration in Support of Motion, <u>15</u> Declaration in Support of Motion, <u>22</u> Affidavit in Support of Motion, <u>24</u> Declaration in Support of Motion, <u>25</u> Declaration in Support of Motion, <u>14</u> Declaration in Support of Motion. ERROR(S): Supporting Documents must be linked to the Correct Motion. (db) (Entered: 10/01/2010)
10/01/2010	<u>28</u>	FIRST MOTION for Preliminary Injunction. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Text of Proposed Order)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>29</u>	FIRST MEMORANDUM OF LAW in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>30</u>	AFFIDAVIT of Julia Pinover in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B (Part 1), # <u>3</u> Exhibit B (Part 2), # <u>4</u> Exhibit B (Part 3), # <u>5</u> Exhibit B (Part 4), # <u>6</u> Exhibit B (Part 5), # <u>7</u> Exhibit C, # <u>8</u> Exhibit D)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>31</u>	DECLARATION of Celine Perez in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A (Excerpt), # <u>2</u> Exhibit B, # <u>3</u> Errata C (Excerpt))(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>32</u>	DECLARATION of Philip Dyson in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>33</u>	DECLARATION of Pat Bianchi in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>34</u>	DECLARATION of Michael C. Collins in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>35</u>	DECLARATION of Rima McCoy in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>36</u>	DECLARATION of Linda Ostreicher in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Pinover, Julia) (Entered: 10/01/2010)

10/01/2010	<u>37</u>	DECLARATION of Henry Lee in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>38</u>	DECLARATION of Gisell Claudio in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>39</u>	SECOND MEMORANDUM OF LAW in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction. <i>Supplemental Submission of Fact</i> . Document filed by Disabled in Action, United Spinal Association. (Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>40</u>	DECLARATION of Michael Waterstone in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>41</u>	DECLARATION of Andrew D. Schwarz in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Errata 6)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>42</u>	DECLARATION of Rima McCoy (Supplemental) in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>43</u>	DECLARATION of Jen Halbert in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Disabled in Action, United Spinal Association. (Pinover, Julia) (Entered: 10/01/2010)
10/01/2010	<u>44</u>	SECOND MEMORANDUM OF LAW in Support re: <u>28</u> FIRST MOTION for Preliminary Injunction. <i>Renewed Motion and Supplemental Submission of Fact</i> . Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Text of Proposed Order Amended Proposed OSC)(Pinover, Julia) (Entered: 10/01/2010)
10/05/2010	<u>45</u>	ENDORSED LETTER addressed to Judge Deborah A. Batts from Stephen Kitzinger dated 9/28/10 re: Request for a 30 day extension of time to respond to the complaint. ENDORSEMENT: Denied. SO ORDERED. (Signed by Judge Deborah A. Batts on 10/5/10) (db) (Entered: 10/05/2010)
10/08/2010	<u>46</u>	NOTICE of Errata. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Errata Complete Exhibit B to Rima McCoy's Supplemental Declaration in Support of Preliminary Injunction)(Pinover, Julia) (Entered: 10/08/2010)
10/12/2010	<u>47</u>	MEMORANDUM OF LAW in Opposition re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 10/12/2010)
10/12/2010	<u>48</u>	DECLARATION of Stephen Kitzinger in Opposition re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 10/12/2010)
10/13/2010	<u>49</u>	AMENDED MEMORANDUM OF LAW in Opposition re: <u>28</u> FIRST MOTION for Preliminary Injunction.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 10/13/2010)
10/28/2010	<u>50</u>	ORDER: At this stage of the proceeding, Plaintiffs have not met their burden of showing a substantial or clear likelihood of success on the merits. The Plaintiffs' Motion for a Preliminary Injunction must therefore be DENIED. (Signed by Judge Deborah A. Batts on 10/28/2010) (jfe) (Entered: 10/28/2010)
11/05/2010	51	TRANSCRIPT of proceedings held on October 27, 2010 at 11:12 a.m. before Judge Deborah A. Batts. (js) (Entered: 11/09/2010)
11/05/2010	52	TRANSCRIPT of proceedings held on October 20, 2010 at 11:15 a.m. before Judge Deborah A. Batts. (js) (Entered: 11/10/2010)

11/24/2010	<u>53</u>	NOTICE of Unavailability of Counsel. Document filed by Disabled in Action, United Spinal Association. (Pinover, Julia) (Entered: 11/24/2010)
01/06/2011	<u>54</u>	ORDER: To date, no Answer has been filed nor further request for extension made, and the Court is at a loss for words to describe the kind of default Defendants now find themselves in. Within 20 days of the date of this Order, Defendants shall file an Answer. There shall be no extensions. Should Defendants fail to file their Answer as directed, the Plaintiffs may make appropriate motions. (Signed by Judge Deborah A. Batts on 1/6/2011) (jpo) (Entered: 01/07/2011)
01/24/2011	<u>55</u>	MOTION to Dismiss. Document filed by Board of Elections in the City of New York, Julia Dent. Responses due by 2/7/2011(Kitzinger, Stephen) (Entered: 01/24/2011)
01/24/2011	<u>56</u>	MEMORANDUM OF LAW in Support re: <u>55</u> MOTION to Dismiss.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 01/24/2011)
01/28/2011	<u>57</u>	ORDER: Defendants' Motion to Dismiss the Complaint is DENIED. Defendants are Ordered to Answer the Complaint within 20 days of the date of this Order. ORDER denying <u>55</u> Motion to Dismiss. (Signed by Judge Deborah A. Batts on 1/28/11) (db) (Entered: 01/28/2011)
02/16/2011	<u>58</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Board of Elections in the City of New York, Julia Dent.(Kitzinger, Stephen) (Entered: 02/16/2011)
02/25/2011		***DELETED DOCUMENT. Deleted document number <u>59</u> ORDER. The document was incorrectly filed in this case. (lnl) (Entered: 02/25/2011)
03/01/2011	<u>59</u>	NOTICE OF APPEARANCE by Mariann Meier Wang on behalf of Disabled in Action, United Spinal Association (Wang, Mariann) (Entered: 03/01/2011)
03/02/2011	<u>60</u>	NOTICE OF APPEARANCE by Kevin Todd Mintzer on behalf of Disabled in Action, United Spinal Association (Mintzer, Kevin) (Entered: 03/02/2011)
03/18/2011	<u>61</u>	SCHEDULING ORDER: This trial is to be tried to a jury. Estimated trial time is 5–10 days. Discovery due by 12/16/2011. Status Conference set for 1/27/2012 at 11:30 AM before Judge Deborah A. Batts. (Signed by Judge Deborah A. Batts on 3/18/2011) (jpo) (Entered: 03/18/2011)
05/02/2011	<u>62</u>	NOTICE OF CHANGE OF ADDRESS by Mariann Meier Wang on behalf of Disabled in Action, United Spinal Association. New Address: Cuti Hecker Wang LLP, 154 Grand Street, New York, NY, United States 10013, 646–205–3643. (Wang, Mariann) (Entered: 05/02/2011)
10/21/2011	<u>63</u>	MOTION for Stuart Seaborn to Appear Pro Hac Vice. Document filed by Disabled in Action, United Spinal Association.(wb) (pgu). (Entered: 10/24/2011)
10/25/2011		CASHIERS OFFICE REMARK on <u>63</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 10/21/2011, Receipt Number 1019858. (jd) (Entered: 10/25/2011)
11/16/2011	<u>64</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>63</u> Motion for Stuart Seaborn to Appear Pro Hac Vice as counsel for Plaintiffs. (Signed by Judge Deborah A. Batts on 11/7/2011) (ab) (Entered: 11/16/2011)
12/14/2011	<u>65</u>	AMENDED SCHEDULING ORDER:Dispositive Motions due by 3/16/2012. Responses due by 4/13/2012 Replies due by 4/27/2012. Non–Expert Discovery due by 1/27/2012 and letters re intent to make bases for SJ motion sent to Court by 2/29/2012. (Signed by Judge Deborah A. Batts on 12/14/2011) (cd) (Entered: 12/14/2011)
02/01/2012	<u>66</u>	ENDORSED LETTER addressed to Judge Deborah A. Batts from Julia Pinover dated 1/11/2012 re: Counsel for the plaintiffs request a pre–motion conference concerning Defendants' failure to timely respond to Plaintiffs document requests, Plaintiffs' proposed motion for class certification, and Plaintiffs proposed motion for leave to amend the complaint. ENDORSEMENT: Proposed motions are DENIED at this time pending resolution of motions for summary judgment. (Signed by Judge Deborah A. Batts on 2/1/2012) (ft) (Entered: 02/01/2012)
03/16/2012	<u>67</u>	MOTION for Partial Summary Judgment. Document filed by Disabled in Action, United Spinal Association. Responses due by 4/13/2012(Seaborn, Stuart) (Entered: 03/16/2012)

		03/16/2012)
03/16/2012	<u>68</u>	MEMORANDUM OF LAW in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>69</u>	RULE 56.1 STATEMENT. Document filed by Disabled in Action, United Spinal Association. (Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>70</u>	DECLARATION of Stuart Seaborn in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O)(Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>71</u>	DECLARATION of Rima McCoy in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L)(Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>72</u>	DECLARATION of James Weisman in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>73</u>	DECLARATION of Paula Wolff in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>74</u>	DECLARATION of Denise McQuade in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>75</u>	DECLARATION of Mae Carbajosa in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N)(Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>76</u>	DECLARATION of Celine Perez in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>77</u>	DECLARATION of Ramon Santos in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>78</u>	DECLARATION of Michael Waterstone in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>79</u>	DECLARATION of Andrew Schwarz in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit 1-12C, # <u>2</u> Exhibit Sources Relied Upon, # <u>3</u> Exhibit Texts Relied Upon)(Seaborn, Stuart) (Entered: 03/16/2012)
03/16/2012	<u>80</u>	MOTION Request for Judicial Notice re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Seaborn, Stuart) (Entered: 03/16/2012)

03/16/2012	<u>81</u>	MOTION for Summary Judgment. Document filed by Board of Elections in the City of New York, Julia Dent. Responses due by 4/13/2012 Return Date set for 4/27/2012 at 09:30 AM.(Kitzinger, Stephen) (Entered: 03/16/2012)
03/16/2012	<u>82</u>	RULE 56.1 STATEMENT. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 03/16/2012)
03/16/2012	<u>83</u>	DECLARATION of John P. O'Grady in Support re: <u>81</u> MOTION for Summary Judgment.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 03/16/2012)
03/16/2012	<u>84</u>	DECLARATION of Stephen Thompson in Support re: <u>81</u> MOTION for Summary Judgment.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 03/16/2012)
03/16/2012	<u>85</u>	DECLARATION of Stephen Kitzinger in Support re: <u>81</u> MOTION for Summary Judgment.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 03/16/2012)
03/16/2012	<u>86</u>	MEMORANDUM OF LAW in Support re: <u>81</u> MOTION for Summary Judgment.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 03/16/2012)
04/12/2012	<u>87</u>	ENDORSED LETTER addressed to Judge Deborah A. Batts from Julia Pinover dated 4/12/2012 re: Request for extension of the briefing schedule. ENDORSEMENT: Both parties are granted a two-week extension of the briefing schedule. So ordered. (Signed by Judge Deborah A. Batts on 4/12/2012) (rjm) (Entered: 04/12/2012)
04/24/2012	<u>88</u>	ENDORSED LETTER: addressed to Judge Deborah A. Batts from Stephen Kitzinger dated 4/23/2012 re: write to request a second two-week extension of the briefing schedule for plaintiffs' motion for partial summary judgment, which extension would make defendants' opposition due on May 11th, and plaintiffs' reply, if any, due on May 25th. Plaintiffs' counsel declined to consent to this request stating that. ENDORSEMENT: Denied. So Ordered. (Signed by Judge Deborah A. Batts on 4/24/2012) (js) Modified on 4/26/2012 (tro). (Entered: 04/24/2012)
04/27/2012	<u>89</u>	MEMORANDUM OF LAW in Opposition re: <u>81</u> MOTION for Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Wolinsky, Sid) (Entered: 04/27/2012)
04/27/2012	<u>90</u>	COUNTER STATEMENT TO <u>82</u> Rule 56.1 Statement. Document filed by Disabled in Action, United Spinal Association. (Wolinsky, Sid) (Entered: 04/27/2012)
04/27/2012	<u>91</u>	DECLARATION of Stuart Seaborn in Opposition re: <u>81</u> MOTION for Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Wolinsky, Sid) (Entered: 04/27/2012)
04/27/2012	<u>92</u>	DECLARATION of Rima McCoy in Opposition re: <u>81</u> MOTION for Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Wolinsky, Sid) (Entered: 04/27/2012)
04/27/2012	<u>93</u>	DECLARATION of James Weisman in Opposition re: <u>81</u> MOTION for Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Wolinsky, Sid) (Entered: 04/27/2012)
04/27/2012	<u>94</u>	DECLARATION of Paula Wolff in Opposition re: <u>81</u> MOTION for Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Wolinsky, Sid) (Entered: 04/27/2012)
04/27/2012	<u>95</u>	COUNTER STATEMENT TO <u>69</u> Rule 56.1 Statement. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 04/27/2012)
04/27/2012	<u>96</u>	MEMORANDUM OF LAW in Opposition re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 04/27/2012)
04/27/2012	<u>97</u>	DECLARATION of Stephen Kitzinger in Opposition re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Board of Elections in the City of New York,

		Julia Dent. (Kitzinger, Stephen) (Entered: 04/27/2012)
04/27/2012	<u>98</u>	DECLARATION of John P. O'Grady in Opposition re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 04/27/2012)
04/27/2012	<u>99</u>	DECLARATION of Stephen Thompson in Opposition re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 04/27/2012)
05/11/2012	<u>100</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – REPLY MEMORANDUM OF LAW in Support re: <u>81</u> MOTION for Summary Judgment. Document filed by Disabled in Action, United Spinal Association. (Wolinsky, Sid) Modified on 5/22/2012 (db). (Entered: 05/11/2012)
05/11/2012	<u>101</u>	REPLY MEMORANDUM OF LAW in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Wolinsky, Sid) (Entered: 05/11/2012)
05/11/2012	<u>102</u>	DECLARATION of Stuart Seaborn in Support re: <u>67</u> MOTION for Partial Summary Judgment.. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Wolinsky, Sid) (Entered: 05/11/2012)
05/11/2012	<u>103</u>	MOTION Request for Judicial Notice re: <u>101</u> Reply Memorandum of Law in Support of Motion. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Wolinsky, Sid) (Entered: 05/11/2012)
05/11/2012	<u>104</u>	REPLY MEMORANDUM OF LAW in Support re: <u>81</u> MOTION for Summary Judgment.. Document filed by Board of Elections in the City of New York, Julia Dent. (Kitzinger, Stephen) (Entered: 05/11/2012)
08/08/2012	<u>105</u>	MEMORANDUM AND ORDER: Granting Plaintiff's Motion for Summary Judgment is granted; Defendant's Motion for Summary Judgment is denied; and the case is referred to Honorable Henry Pitman, Magistrate Judge, for the determination of remedy consistent with this Order. granting <u>80</u> Motion; denying <u>81</u> Motion for Summary Judgment.. (Signed by Judge Deborah A. Batts on 8/8/2012) (ago) (Entered: 08/08/2012)
08/08/2012	<u>106</u>	MEMORANDUM and ORDER: Because of the short time involved before the September primary, it is inappropriate for the Court to refer this case to the Magistrate Judge; I thereby withdraw the reference to Magistrate Judge Pitman. Parties shall appear before the Court at 11:00 AM on 8/27/2012. (Conference set for 8/27/2012 at 11:00 AM before Judge Deborah A. Batts.) (Signed by Judge Deborah A. Batts on 8/8/2012) (ago) (Entered: 08/08/2012)
08/08/2012	<u>108</u>	INTERNET CITATION NOTE: Material from decision with Internet citation re: <u>105</u> Order on Motion for Miscellaneous Relief, Order on Motion for Summary Judgment., (tro) (Entered: 08/21/2012)
08/15/2012	<u>107</u>	ORDER: The Parties are currently scheduled for a hearing before the Court on August 27, 2012 at 11:00 a.m. Prior to that Court appearance, the Parties are to meet, at least once, and develop potential remedies as a basis for the August 27, 2012 hearing before the Court. (Signed by Judge Deborah A. Batts on 8/15/2012) (lmb) (Entered: 08/15/2012)
08/27/2012		Minute Entry for proceedings held before Judge Deborah A. Batts: Hearing held on 8/27/2012. Hearing held and concluded. Transcript to follow. (lmb) (Entered: 10/11/2012)
09/10/2012		Minute Entry for proceedings held before Judge Deborah A. Batts: Hearing held and concluded on 9/10/2012. Transcript to follow. (rjm) (Entered: 09/18/2012)
10/11/2012	<u>109</u>	STATUS REPORT. <i>concerning accessibility problems at select poll sites during the September 13, 2012 Primary Election</i> Document filed by Board of Elections in the City of New York, Julia Dent.(Kitzinger, Stephen) (Entered: 10/11/2012)

10/11/2012	<u>110</u>	STATUS REPORT. <i>Letter Brief in Support of Plaintiffs' Proposed Remedial Plan</i> Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Seaborn, Stuart) (Entered: 10/11/2012)
10/11/2012	<u>111</u>	DECLARATION of Monica Bartley in Support re: <u>110</u> Status Report. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Seaborn, Stuart) (Entered: 10/11/2012)
10/11/2012	<u>112</u>	DECLARATION of Stuart Seaborn in Support re: <u>110</u> Status Report. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C (Part 1), # <u>4</u> Exhibit C (Part 2), # <u>5</u> Exhibit C (Part 3), # <u>6</u> Exhibit C (Part 4), # <u>7</u> Exhibit C (Part 5), # <u>8</u> Exhibit C (Part 6), # <u>9</u> Exhibit D, # <u>10</u> Exhibit E)(Seaborn, Stuart) (Entered: 10/11/2012)
10/11/2012	<u>113</u>	DECLARATION of Susan Dooha in Support re: <u>110</u> Status Report. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R)(Seaborn, Stuart) (Entered: 10/11/2012)
10/11/2012	<u>114</u>	DECLARATION of Margi Trapani in Support re: <u>110</u> Status Report. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U)(Seaborn, Stuart) (Entered: 10/11/2012)
10/11/2012	<u>115</u>	DECLARATION of Gisell Claudio in Support re: <u>110</u> Status Report. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Seaborn, Stuart) (Entered: 10/11/2012)
10/11/2012	<u>116</u>	DECLARATION of Van K. Ly in Support re: <u>110</u> Status Report. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Seaborn, Stuart) (Entered: 10/11/2012)
10/11/2012	<u>117</u>	DECLARATION of Ramon Santos in Support re: <u>110</u> Status Report. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Seaborn, Stuart) (Entered: 10/11/2012)
10/11/2012	<u>118</u>	DECLARATION of Heidi Siegfried in Support re: <u>110</u> Status Report. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Seaborn, Stuart) (Entered: 10/11/2012)
10/15/2012		Minute Entry: for proceedings held before Judge Deborah A. Batts: Status Conference held on 10/15/2012. Plaintiffs counsels Stuart Seaborn and Julia Pinover present, defense counsels Steven Kitzinger, Steven Richman, Raphael Savino present. Also present, AUSA Alicia Simmons. Hearing held and concluded. Transcript to follow. (djc) (Entered: 11/13/2012)
10/18/2012	<u>119</u>	ORDER: that having considered the parties' proposals and concerns, the Court hereby ORDERS that, Accessible polling sites are and shall be the cornerstone of the voting accessibility program of the BOE. The BOE has an obligation to provide an accessible voting program under federal law. The BOE shall maintain in operable working condition, on the day of any election, those features of facilities and equipment that are required to be provided by the BOE to make polling sites temporarily accessible to and usable by persons with disabilities. Additional relief as set forth in this Order. (Signed by Judge Deborah A. Batts on 10/18/2012) (Attachments: # <u>1</u> Supplement Part 2, # <u>2</u> Supplement Part 3)(pl) (Entered: 10/18/2012)
10/19/2012	<u>120</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 8/27/2012 before Judge Deborah A. Batts. Court Reporter/Transcriber: Rose Prater, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/13/2012.

		Redacted Transcript Deadline set for 11/26/2012. Release of Transcript Restriction set for 1/22/2013.(Moya, Goretti) (Entered: 10/19/2012)
10/19/2012	<u>121</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 8/27/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Moya, Goretti) (Entered: 10/19/2012)
10/19/2012	<u>122</u>	ORDER OF REFERENCE TO A MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Specific Non-Dispositive Motion/Dispute: Matter's contain within the Remedial Order dated 10/18/12. Referred to Magistrate Judge Henry B. Pitman. (Signed by Judge Deborah A. Batts on 10/19/2012) (ama) (Entered: 10/19/2012)
10/26/2012	<u>123</u>	NOTICE OF APPEAL from <u>119</u> Order,, Document filed by Board of Elections in the City of New York, Julia Dent. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Kitzinger, Stephen) (Entered: 10/26/2012)
10/26/2012		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>123</u> Notice of Appeal. (tp) (Entered: 10/26/2012)
10/26/2012		Appeal Fee Due: for <u>123</u> Notice of Appeal. Appeal fee due by 11/9/2012. (tp) (Entered: 10/26/2012)
10/26/2012		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>73</u> Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, <u>23</u> Memorandum of Law in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>5</u> FIRST MOTION for Limited Admission of <i>Sid Wolinsky (Pro Hac Vice)</i> . filed by Disabled in Action, United Spinal Association, <u>115</u> Declaration in Support, filed by Disabled in Action, United Spinal Association, <u>102</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>19</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>105</u> Order on Motion for Miscellaneous Relief, Order on Motion for Summary Judgment,, <u>70</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>57</u> Order on Motion to Dismiss, <u>1</u> Complaint filed by Disabled in Action, United Spinal Association, <u>65</u> Scheduling Order, <u>46</u> Notice (Other) filed by Disabled in Action, United Spinal Association, <u>29</u> Memorandum of Law in Support of Motion filed by Disabled in Action, United Spinal Association, <u>48</u> Declaration in Opposition to Motion filed by Board of Elections in the City of New York, Julia Dent, <u>27</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>82</u> Rule 56.1 Statement filed by Board of Elections in the City of New York, Julia Dent, <u>63</u> MOTION for Stuart Seaborn to Appear Pro Hac Vice. filed by Disabled in Action, United Spinal Association, <u>18</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>60</u> Notice of Appearance filed by Disabled in Action, United Spinal Association, <u>56</u> Memorandum of Law in Support of Motion filed by Board of Elections in the City of New York, Julia Dent, <u>120</u> Transcript,, <u>101</u> Reply Memorandum of Law in Support of Motion filed by Disabled in Action, United Spinal Association, <u>55</u> MOTION to Dismiss. filed by Board of Elections in the City of New York, Julia Dent, <u>42</u> Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, <u>12</u> Order to Show Cause,,, filed by Disabled in Action, United Spinal Association, <u>107</u> Order, <u>83</u> Declaration in Support of Motion filed by Board of Elections in the City of New York, Julia Dent, <u>26</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>103</u> MOTION Request for Judicial Notice re: <u>101</u> Reply Memorandum of Law in Support of Motion. filed by Disabled in Action, United Spinal Association, <u>11</u> Order on Motion to Appear Pro Hac Vice, <u>119</u> Order,, <u>85</u> Declaration in Support of Motion filed by Board of Elections in the City of New York, Julia Dent, <u>76</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>40</u> Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, <u>6</u> MOTION for Sid Wolinsky to Appear Pro Hac Vice. filed by Disabled in Action, United Spinal Association, <u>111</u> Declaration in Support, filed by Disabled in Action, United Spinal Association, <u>95</u> Counter Statement to Rule 56.1 filed by Board of Elections in the City

of New York, Julia Dent, [59](#) Notice of Appearance filed by Disabled in Action, United Spinal Association, [69](#) Rule 56.1 Statement filed by Disabled in Action, United Spinal Association, [43](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [36](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [21](#) Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, [34](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [75](#) Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, [39](#) Memorandum of Law in Support of Motion filed by Disabled in Action, United Spinal Association, [17](#) Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, [41](#) Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, [38](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [10](#) Order on Motion to Appear Pro Hac Vice, [7](#) Notice of Appearance filed by Board of Elections in the City of New York, Julia Dent, [24](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [22](#) Affidavit in Support of Motion, filed by Disabled in Action, United Spinal Association, [112](#) Declaration in Support, filed by Disabled in Action, United Spinal Association, [108](#) Internet Citation, [92](#) Declaration in Opposition to Motion filed by Disabled in Action, United Spinal Association, [47](#) Memorandum of Law in Opposition to Motion filed by Board of Elections in the City of New York, Julia Dent, [64](#) Order on Motion to Appear Pro Hac Vice, [54](#) Order, [66](#) Endorsed Letter,, [8](#) Endorsed Letter, Set Deadlines/Hearings,, [33](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [94](#) Declaration in Opposition to Motion filed by Disabled in Action, United Spinal Association, [14](#) Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, [100](#) Reply Memorandum of Law in Support of Motion, filed by Disabled in Action, United Spinal Association, [84](#) Declaration in Support of Motion filed by Board of Elections in the City of New York, Julia Dent, [2](#) Rule 7.1 Corporate Disclosure Statement filed by Disabled in Action, United Spinal Association, [93](#) Declaration in Opposition to Motion filed by Disabled in Action, United Spinal Association, [87](#) Endorsed Letter, [121](#) Notice of Filing Transcript, [3](#) Affidavit of Service Complaints filed by Disabled in Action, United Spinal Association, [80](#) MOTION Request for Judicial Notice re: [67](#) MOTION for Partial Summary Judgment.. MOTION Request for Judicial Notice re: [67](#) MOTION for Partial Summary Judgment.. filed by Disabled in Action, United Spinal Association, [99](#) Declaration in Opposition to Motion filed by Board of Elections in the City of New York, Julia Dent, [28](#) FIRST MOTION for Preliminary Injunction. filed by Disabled in Action, United Spinal Association, [79](#) Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, [32](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [78](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [106](#) Order, Set Hearings,, [16](#) Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, [72](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [50](#) Order on Motion for Preliminary Injunction, [68](#) Memorandum of Law in Support of Motion filed by Disabled in Action, United Spinal Association, [31](#) Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, [30](#) Affidavit in Support of Motion, filed by Disabled in Action, United Spinal Association, [116](#) Declaration in Support, filed by Disabled in Action, United Spinal Association, [45](#) Endorsed Letter, [110](#) Status Report filed by Disabled in Action, United Spinal Association, [9](#) MOTION for Ronald Elsberry to Appear Pro Hac Vice. filed by Disabled in Action, United Spinal Association, [86](#) Memorandum of Law in Support of Motion filed by Board of Elections in the City of New York, Julia Dent, [44](#) Memorandum of Law in Support of Motion, filed by Disabled in Action, United Spinal Association, [97](#) Declaration in Opposition to Motion filed by Board of Elections in the City of New York, Julia Dent, [13](#) FIRST MOTION for Preliminary Injunction. filed by Disabled in Action, United Spinal Association, [53](#) Notice (Other) filed by Disabled in Action, United Spinal Association, [122](#) Order Referring Case to Magistrate Judge, [37](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [74](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [35](#) Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, [62](#) Notice of Change of Address filed by Disabled in Action, United Spinal Association, [20](#) Declaration in Support of Motion filed by Disabled in Action, United Spinal Association, [113](#) Declaration in Support, filed by Disabled in Action, United Spinal Association, [117](#) Declaration in Support filed by Disabled in Action,

		United Spinal Association, <u>109</u> Status Report filed by Board of Elections in the City of New York, Julia Dent, <u>49</u> Memorandum of Law in Opposition to Motion filed by Board of Elections in the City of New York, Julia Dent, <u>4</u> Affidavit of Service Complaints filed by Disabled in Action, United Spinal Association, <u>104</u> Reply Memorandum of Law in Support of Motion filed by Board of Elections in the City of New York, Julia Dent, <u>15</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>98</u> Declaration in Opposition to Motion filed by Board of Elections in the City of New York, Julia Dent, <u>81</u> MOTION for Summary Judgment. filed by Board of Elections in the City of New York, Julia Dent, <u>77</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>67</u> MOTION for Partial Summary Judgment. filed by Disabled in Action, United Spinal Association, <u>71</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>61</u> Scheduling Order, <u>123</u> Notice of Appeal filed by Board of Elections in the City of New York, Julia Dent, <u>25</u> Declaration in Support of Motion, filed by Disabled in Action, United Spinal Association, <u>58</u> Answer to Complaint filed by Board of Elections in the City of New York, Julia Dent, <u>91</u> Declaration in Opposition to Motion filed by Disabled in Action, United Spinal Association, <u>114</u> Declaration in Support., filed by Disabled in Action, United Spinal Association, <u>89</u> Memorandum of Law in Opposition to Motion filed by Disabled in Action, United Spinal Association, <u>118</u> Declaration in Support filed by Disabled in Action, United Spinal Association, <u>96</u> Memorandum of Law in Opposition to Motion filed by Board of Elections in the City of New York, Julia Dent, <u>88</u> Endorsed Letter, Set Deadlines,,, <u>90</u> Counter Statement to Rule 56.1 filed by Disabled in Action, United Spinal Association were transmitted to the U.S. Court of Appeals. (tp) (Entered: 10/26/2012)
11/05/2012		USCA Appeal Fees received \$ 455.00 receipt number 465401052075 on 11/5/2012 re: <u>123</u> Notice of Appeal filed by Board of Elections in the City of New York, Julia Dent. (tp) (Entered: 11/05/2012)
11/15/2012	<u>124</u>	ORDER: In paragraph 6 of her Order dated October 18, 2012, the Honorable Deborah A. Batts, United States District Judge, directed the parties to provide me with an updated version of Attachment A to the October 18, 2012, subsequent to each Election Day. The parties are directed to make such submissions six (6) weeks after each Election Day. Accordingly, the first updated version of Attachment A to the October 18, 2012 Order is due no later than December 18, 2012. (Signed by Magistrate Judge Henry B. Pitman on 11/15/2012) Copies Mailed By Chambers. (ft) (Entered: 11/15/2012)
12/21/2012	<u>125</u>	AMENDED SCHEDULING ORDER: On November 15,2012, the Court ordered the parties to submit the first updated version of Attachment A to the Court's October 18, 2012 Order by December 18, 2012. After considering the joint proposal to modify that schedule, the Court amends the November 15, 2012 Order as follows: January 15, 2013: the parties will exchange drafts of proposed updates to Attachment A. February 1, 2013: the parties will submit to the Court an updated version of Attachment A. (Signed by Magistrate Judge Henry B. Pitman on 12/20/2012) (ago) (Entered: 12/21/2012)
01/11/2013	<u>126</u>	NOTICE OF APPEARANCE by Christine Hsiao-Ting Chuang on behalf of Disabled in Action, United Spinal Association (Chuang, Christine) (Entered: 01/11/2013)
01/28/2013	<u>127</u>	ORDER: Although I am confident that all the candidate firms could complete the assignment, I conclude that ETA is the most qualified, and, pursuant to paragraph 8 of Judge Batts' October 18, 2012 Order, I designate it as the Third Party Expert. (Signed by Magistrate Judge Henry B. Pitman on 1/28/2013)Copies Sent By Cahmbers. (djc) Modified on 2/5/2013 (djc). (Entered: 01/28/2013)
02/08/2013	<u>128</u>	ORDER: Accordingly, if plaintiffs believe that some further action needs to be taken as a result of the Schedule A submitted on February 1, 2013, they are directed to set forth their application in writing no later than March 11, 2013. (Signed by Magistrate Judge Henry B. Pitman on 2/7/2013) Copies Transmitted by Chambers(js) (Entered: 02/08/2013)
03/26/2013	<u>129</u>	ENDORSED LETTER addressed to Magistrate Judge Henry B. Pitman from Stephen Kitzinger dated 3/22/2013 re: I am the Assistant Corporation Counsel assigned to represent the defendants in the above-referenced action. I am pleased to report that the

		Board and CID–NY have reached an agreement that the amount of compensation should be \$29,362.50. The Board respectfully requests that Your Honor "so order" this amount in accordance with the terms of the Remedial Order in order to allow the Board to tender payment. ENDORSEMENT: PAYMENT OF THE AMOUNT SET FORTH HEREIN IS APPROVED ON CONSENT. (Signed by Magistrate Judge Henry B. Pitman on 3/25/2013) (ft) (Entered: 03/26/2013)
05/13/2013	<u>130</u>	MODIFIED ORDER: Having considered the parties' proposals and concerns, the Court hereby ORDERS that: 1. Accessible polling sites are and shall be the cornerstone of the voting accessibility program of the BOE. The BOE has an obligation to provide an accessible voting program under federal law. 2. The BOE shall maintain in operable working condition, on the day of any election, those features of facilities and equipment that are required to be provided by the BOE to make polling sites temporarily accessible to and usable by persons with disabilities. The Court shall maintain jurisdiction over compliance with this Order through December 31, 2016. 30 days before the expiration of this period, the parties shall submit briefing to the Court on the BOE's compliance with the Order, and make recommendations as to whether the Court should retain jurisdiction over the matter. SO ORDERED. (Signed by Judge Deborah A. Batts on 5/13/2013) (ft) (Entered: 05/13/2013)
06/07/2013	<u>131</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 9/10/2012 before Judge Deborah A. Batts. Court Reporter/Transcriber: Carol Ganley, (212) 805–0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/1/2013. Redacted Transcript Deadline set for 7/11/2013. Release of Transcript Restriction set for 9/9/2013.(Rodriguez, Somari) (Entered: 06/07/2013)
06/07/2013	<u>132</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/10/12 has been filed by the court reporter/transcriber in the above–captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 06/07/2013)
06/07/2013	<u>133</u>	TRANSCRIPT of Proceedings re: ARGUMENT held on 10/15/2012 before Judge Deborah A. Batts. Court Reporter/Transcriber: Paula Speer, (212) 805–0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/1/2013. Redacted Transcript Deadline set for 7/11/2013. Release of Transcript Restriction set for 9/9/2013.(Rodriguez, Somari) (Entered: 06/07/2013)
06/07/2013	<u>134</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 10/15/12 has been filed by the court reporter/transcriber in the above–captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 06/07/2013)
08/06/2013	<u>135</u>	NOTICE OF CHANGE OF ADDRESS by Julia Miriam Pinover on behalf of All Plaintiffs. New Address: Disability Rights Advocates, 40 Worth Street, 10th Floor, New York, New York, United States 10013, 212–644–8644. (Pinover, Julia) (Entered: 08/06/2013)
08/16/2013	<u>136</u>	LETTER (Certified Copy) as to <u>123</u> Notice of Appeal filed by Board of Elections in the City of New York, Julia Dent; USCA Case Number 12–4412. Appellants Board of Elections in the City of New York advising the Court that the current President of the BOE is Frederic M. Umane, and that Mr. Umane's name should appear in the caption of this matter. Mr. Umane succeeded Julia Dent, who was the President of the BOE when the matter was filed and whose name previously appeared in the caption of this matter. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 08/16/2013. (nd) (Entered: 08/19/2013)

10/22/2013	<u>137</u>	SCHEDULING ORDER: October 21, 2013: The Third Party Expert shall begin surveys of poll sites. On or before December 12, 2013: The Third Party Expert shall complete surveys of 5 poll sites in each borough (totaling 25 poll sites) and meet with Defendants to discuss the results of such surveys as well as any recommended modifications to the survey process based on this initial set of surveys. Beginning in January 2014: The Third Party Expert will conduct surveys of as many poll sites as practicable, with a goal of no fewer than 120 polling sites every two months (the "Survey Period"). All other provisions of Judge Batts' May 13, 2013 Modified Order shall remain in effect. (Signed by Magistrate Judge Henry B. Pitman on 10/22/2013) (ft) (Entered: 10/22/2013)
06/09/2014	<u>138</u>	MANDATE of USCA (Certified Copy) as to <u>123</u> Notice of Appeal filed by Board of Elections in the City of New York, Julia Dent USCA Case Number 12-4412. Ordered, Adjudged and Decreed that the order of the District Court is AFFIRMED in accordance with the opinion of this court. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 06/09/2014. (nd) (Entered: 06/09/2014)
06/11/2014	<u>139</u>	STIPULATION AND ORDER RE ATTORNEYS' FEES AND COSTS: The District Court granted Plaintiffs' Motion for Summary Judgment on August 8, 2012 (Dkt. No. 105) and entered a remedial order on October 18, 2012 (Dkt. No. 119); Defendants filed a Notice of Appeal to the United States Court of Appeals for the Second Circuit on October 26, 2012 appealing the District Court's October 18, 2012 order; On May 14, 2014, the United States Court of Appeals for the Second Circuit issued a judgment affirming the District Court's order; Judgment was entered by the District Court on June 9, 2014; The parties agree to try to resolve Plaintiffs' claim for fees and costs without the need for further litigation; The undersigned parties, therefore, by and through their counsel of record, hereby request that the Court order the following as set forth herein. (Signed by Judge Deborah A. Batts on 6/11/2014) (ja) (Entered: 06/11/2014)
08/22/2014	<u>140</u>	Costs Taxed as to <u>138</u> USCA Mandate, USCA Case Number 12-4412. in the amount of \$312.20. on 08/22/2014 in favor of Appellees Disabled In Action against Appellants Board of Elections in the City of New York, Julia Dent. (nd) (Entered: 08/22/2014)
09/17/2014	<u>141</u>	STIPULATION AND ORDER RE ATTORNEYS' FEES AND COSTS: The undersigned parties, by and through their counsel of record, hereby request that the Court order as follows: 1. That the time frame for the filing of a motion for attorneys' fees and costs will be extended an additional 60 days from September 22, 2014 to November 21, 2014; 2. That in the event the parties are unable to agree on the amount of attorneys' fees and costs to be awarded to Plaintiffs' counsel, Plaintiffs' counsel will file a motion with the Court and Defendants will have not less than 30 days to respond to such motion. (Signed by Judge Deborah A. Batts on 9/17/2014) (kgo) (Entered: 09/17/2014)
09/17/2014		Set/Reset Deadlines: Motions due by 11/21/2014. (kgo) (Entered: 09/17/2014)
11/19/2014	<u>142</u>	STIPULATION AND ORDER RE ATTORNEYS' FEES AND COSTS: The undersigned parties, by and through their counsel of record, hereby request that the Court order as follows: 1. That the timeframe for the filing of a motion for attorneys' fees and costs will be extended an additional 30 days from November 21, 2014 to December 22, 2014; 2. That in the event the parties are unable to agree on the amount of attorneys' fees and costs to be awarded to Plaintiffs' counsel, Plaintiffs' counsel will file a motion with the Court and Defendants will have not less than 30 days to respond to such motion. (Signed by Judge Deborah A. Batts on 11/19/2014) (kgo) Modified on 11/19/2014 (kgo). (Entered: 11/19/2014)
11/19/2014		Set/Reset Deadlines: Motions due by 12/22/2014. (kgo) (Entered: 11/19/2014)
12/18/2014	<u>143</u>	STIPULATION AND ORDER RE ATTORNEYS' FEES AND COSTS: The undersigned parties therefore, by and through their counsel of record, hereby request that the Court order as follows: 1. That in the event the parties are unable to agree on the amount of attorneys' fees and costs to be awarded to Plaintiffs' counsel or the Corporation Counsel and the Comptroller do not approve the final agreed-upon amount, Plaintiffs' counsel shall file a motion with the Court by February 5, 2015 and Defendants will have 30 days to respond to such motion. No further extensions. (Signed by Judge Deborah A. Batts on 12/18/2014) (kgo) (Entered: 12/18/2014)

12/18/2014		Set/Reset Deadlines: Motions due by 2/5/2015. (kgo) (Entered: 12/18/2014)
01/06/2015	<u>144</u>	NOTICE of Withdrawal of Counsel. Document filed by Disabled in Action, United Spinal Association. (Chuang, Christine) (Entered: 01/06/2015)
01/26/2015	<u>145</u>	ORDER: In late November, 2014, I received a report from plaintiffs' counsel on the status of the implementation of Judge Batts' Orders. Among other things, the report cited a number of problems that plaintiffs believe continue to exist and requested that the Court take six steps to remedy these problems. Defendants are directed to submit a written response to me on or before February 20, 2015. (Signed by Magistrate Judge Henry B. Pitman on 1/26/2015) Copies Sent by Chambers. (mro) (Entered: 01/26/2015)
02/05/2015	<u>146</u>	SETTLEMENT AGREEMENT <i>STIPULATION OF SETTLEMENT OF PLAINTIFFS CLAIM FOR ATTORNEYS FEES AND COSTS</i> . Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Chuang, Christine) (Entered: 02/05/2015)
02/20/2015	<u>147</u>	ENDORSED LETTER addressed to Magistrate Judge Henry B. Pitman from Stephen Kitzinger dated 2/19/2015 re: Counsel to defendants request that the Board's time to file its response be extended to 2/25/2015. ENDORSEMENT: APPLICATION GRANTED. (Signed by Magistrate Judge Henry B. Pitman on 2/20/2015) (tn) (Entered: 02/20/2015)
02/25/2015	<u>148</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – RESPONSE re: <u>145</u> Order,, . Document filed by Board of Elections in the City of New York. (Kitzinger, Stephen) Modified on 2/26/2015 (db). (Entered: 02/25/2015)
02/26/2015		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Stephen Edward Kitzinger to RE–FILE Document <u>148</u> Response. Use the event type Letter found under the event list Other Documents. (db) (Entered: 02/26/2015)
02/26/2015	<u>149</u>	LETTER addressed to Magistrate Judge Henry B. Pitman from Stephen Kitzinger dated February 25, 2015 re: status of implementation of remedial order. Document filed by Board of Elections in the City of New York.(Kitzinger, Stephen) (Entered: 02/26/2015)
03/05/2015		A Discovery Conference is set for 3/19/2015 at 02:00 PM in Courtroom 18A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Henry B. Pitman. (bh) (Entered: 03/05/2015)
03/10/2015	<u>150</u>	STIPULATION OF SETTLEMENT OF PLAINTIFFS' CLAIM FOR ATTORNEYS' FEES AND COSTS: IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows: The above–referenced action is hereby dismissed, with prejudice, with the Court retaining continuing jurisdiction regarding enforcement and compliance with the Court's orders dated August 8, 2012 (Dkt. No. 105), October 18, 2012 (Dkt. No. 119), and May 13, 2013 (Dkt. No. 130), and without costs, expenses, or fees in excess of the amount specified. The City of New York hereby agrees to pay Plaintiffs, the sum of \$1,800,000, by check made payable to Disability Rights Advocates, and the following as further set forth herein. (Signed by Judge Deborah A. Batts on 3/10/2015) (kgo) (Entered: 03/10/2015)
03/10/2015		Terminate Transcript Deadlines (kgo) (Entered: 03/10/2015)
03/19/2015		Minute Entry for proceedings held before Magistrate Judge Henry B. Pitman: Discovery Hearing held on 3/19/2015. Order to follow. (bh) (Entered: 03/19/2015)
04/02/2015	<u>151</u>	LETTER addressed to Magistrate Judge Henry B. Pitman from Stephen Kitzinger dated April 2, 2015 re: Board of Elections consenting to the presence of plaintiffs' representative at training. Document filed by Board of Elections in the City of New York.(Kitzinger, Stephen) (Entered: 04/02/2015)
07/14/2015	<u>152</u>	NOTICE of Withdrawal of counsel. Document filed by Disabled in Action, United Spinal Association. (Seaborn, Stuart) (Entered: 07/14/2015)
07/17/2015	<u>153</u>	MEMO ENDORSEMENT on re: <u>152</u> Notice (Other) filed by Disabled in Action, United Spinal Association. ENDORSEMENT: APPLICATION GRANTED. Attorney Christine Hsiao–Ting Chuang terminated. (Signed by Magistrate Judge Henry B.

		Pitman on 7/17/2015) (tn) (Entered: 07/17/2015)
07/20/2015	<u>154</u>	NOTICE OF APPEARANCE by Christina Louise Brandt-Young on behalf of Disabled in Action, United Spinal Association. (Brandt-Young, Christina) (Entered: 07/20/2015)
08/07/2015	<u>155</u>	ORDER: In recent weeks I have received copies of a number of reports authored by Evan Terry Associates, LLC, reporting on the accessibility of polling places in New York City. All the reports appear to indicate that the locations surveyed are accessible. If plaintiffs believe any of the reports need to be addressed or that there are other issues to be resolved, I rely on counsel to call such matters to my attention. (Signed by Magistrate Judge Henry B. Pitman on 8/6/2015) Copies Sent By Chambers. (lmb) (Entered: 08/07/2015)
08/24/2015	<u>156</u>	FIRST LETTER addressed to Magistrate Judge Henry B. Pitman from Christina Brandt-Young dated 8/24/2015 re: Evan Terry Associates Reports. Document filed by Disabled in Action, United Spinal Association.(Brandt-Young, Christina) (Entered: 08/24/2015)
10/14/2015	<u>157</u>	ORDER: Yesterday I received copies of a number of reports authored by Evan Terry Associates, LLC, reporting on the accessibility of polling places in New York City. Again, if plaintiffs believe any of the reports need to be addressed or that there are other issues to be resolved, I rely on counsel to raise such matters with the Court. Given the proximity of election day November 3, 2015 -- any issues that need to be resolved should be addressed as soon as possible. (Signed by Magistrate Judge Henry B. Pitman on 10/14/2015) Copies Sent By Chambers. (lmb) (Entered: 10/14/2015)
10/26/2015	<u>158</u>	TRANSCRIPT of Proceedings re: Discovery Hearing held on 3/19/2015 before Magistrate Judge Henry B. Pitman. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/19/2015. Redacted Transcript Deadline set for 11/30/2015. Release of Transcript Restriction set for 1/27/2016.(ca) (Entered: 10/26/2015)
10/26/2015	<u>159</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Discovery Hearing proceeding held on 03/19/2015 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(ca) (Entered: 10/26/2015)
02/05/2016	<u>160</u>	NOTICE OF CHANGE OF ADDRESS by Christina Louise Brandt-Young on behalf of All Plaintiffs. New Address: Disability Rights Advocates, 675 Third Avenue, Suite 2216, New York, New York, United States 10017, 2126448644. (Brandt-Young, Christina) (Entered: 02/05/2016)
03/04/2016	<u>161</u>	FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - LETTER MOTION for Conference addressed to Magistrate Judge Henry B. Pitman from Christina Brandt-Young dated March 4, 2016. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Affidavit Declaration of M. Bartley, # <u>2</u> Affidavit Declaration of M. Trapani, # <u>3</u> Exhibit 1. 5.13.2013 modified order, # <u>4</u> Exhibit 2. DRA's ETA site-category analysis through 10.7.15 Batch4, # <u>5</u> Exhibit 3a. PollSiteSurvey_2015_FINAL, # <u>6</u> Exhibit 3b. PollSiteSurvey_2015-AttachmentA_Pictures, # <u>7</u> Exhibit 3c. PollSiteSurvey_2015-BarrierChart, # <u>8</u> Exhibit 4. Provisional Master_Poll_Site_Chart_w_2015_Elections, # <u>9</u> Exhibit 5. Schools LOF Signed)(Brandt-Young, Christina) Modified on 3/7/2016 (db). (Entered: 03/04/2016)
03/07/2016		***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Notice to Attorney Christina Louise Brandt-Young to RE-FILE Document <u>161</u> LETTER MOTION for Conference addressed to Magistrate Judge Henry B. Pitman from Christina Brandt-Young dated March 4, 2016. Use the event type Letter found under the event list Other Documents. (db) (Entered: 03/07/2016)

03/07/2016	<u>162</u>	LETTER addressed to Magistrate Judge Henry B. Pitman from Christina Brandt-Young dated March 4, 2016 re: Compliance with the Remedial Order by the Board of Elections. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Affidavit Declaration of M. Bartley, # <u>2</u> Affidavit Declaration of M. Trapani, # <u>3</u> Exhibit 1. 5.13.2013 modified order, # <u>4</u> Exhibit 2. DRA's ETA_site-category_analysis_through_10.7.15_Batch4, # <u>5</u> Exhibit 3a. PollSiteSurvey_2015_FINAL, # <u>6</u> Exhibit 3b. PollSiteSurvey_2015-AttachmentA_Pictures, # <u>7</u> Exhibit 3c. PollSiteSurvey_2015-BarrierChart, # <u>8</u> Exhibit 4. Provisional_Master_Poll_Site_Chart_w_2015_Elections, # <u>9</u> Exhibit 5. Schools LOF Signed)(Brandt-Young, Christina) (Entered: 03/07/2016)
03/18/2016	<u>163</u>	LETTER addressed to Magistrate Judge Henry B. Pitman from Stephen Kitzinger dated March 18, 2016 re: Compliance with the Court's Remedial Order. Document filed by Board of Elections in the City of New York. (Attachments: # <u>1</u> Exhibit Poll Site Survey Report)(Kitzinger, Stephen) (Entered: 03/18/2016)
04/28/2016		Minute Entry for proceedings held before Magistrate Judge Henry B. Pitman: Discovery Hearing held on 4/28/2016. (bh) (Entered: 04/28/2016)
04/29/2016	<u>164</u>	ORDER: 1. Defendants are directed to inquire promptly of the City of New York and the New York City Department of Education, in writing, whether they are willing to make permanent accessibility modifications at the school and the City agency sites that the Board of Elections expects to designate as poll sites (see Letter of Stephen Kitzinger, Esq., to the undersigned, dated March 18, 2016 (Docket Item 163) at 3). Defendants are directed to request a written response from the City and the Department of Education; defendants are also directed to provide copies of their letter and any response thereto to plaintiffs' counsel. 2. No later than May 6, 2016, plaintiffs' counsel is to advise me whether there are sufficient third-party trainers (approximately 40) to train the Board of Elections' newly appointed pole workers, i.e., the July 2016 appointees, concerning accessibility issues and the cost of retaining those third-party trainers to conduct such training. If defendants are aware of any legal limitations on who is permitted to conduct such training, they are to call such limitations to my attention by May 6, 2016. (Signed by Magistrate Judge Henry B. Pitman on 4/29/2016) Copies Sent By Chambers. (lmb) (Entered: 04/29/2016)
05/06/2016	<u>165</u>	LETTER addressed to Magistrate Judge Henry B. Pitman from Christina Brandt-Young dated May 6, 2016 re: Court's Order dated April 29, 2016. Document filed by Disabled in Action, United Spinal Association.(Brandt-Young, Christina) (Entered: 05/06/2016)
05/16/2016	<u>166</u>	SECOND LETTER addressed to Magistrate Judge Henry B. Pitman from Christina Brandt-Young dated May 16, 2016 re: Court's Order dated April 29, 2016. Document filed by Disabled in Action, United Spinal Association.(Brandt-Young, Christina) (Entered: 05/16/2016)
06/10/2016	<u>167</u>	ORDER: Plaintiffs' application to have third-parties, The Lisa K. Young and Hock E. Tan Institute on Employment and Disability Center at Cornell University and Evan Terry Associates, conduct the training of the BOE's trainers with respect to accessibility issues at poll sites is granted. Defendants shall bear the cost of the services provided by the third-party trainers. (Signed by Magistrate Judge Henry B. Pitman on 6/10/2016) (lmb) (Entered: 06/10/2016)
06/10/2016	<u>168</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION to Vacate <u>167</u> Order, <i>directing the retention of accessibility trainers</i> . Document filed by Board of Elections in the City of New York, Julia Dent.(Kitzinger, Stephen) Modified on 6/14/2016 (ldi). (Entered: 06/10/2016)
06/13/2016	<u>169</u>	LETTER addressed to Magistrate Judge Henry B. Pitman from Christina Brandt-Young dated June 13, 2016 re: Response to Court's Order dated June 10, 2016. Document filed by Disabled in Action, United Spinal Association.(Brandt-Young, Christina) (Entered: 06/13/2016)
06/14/2016		***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Notice to Attorney Stephen Edward Kitzinger to RE-FILE Document <u>168</u> MOTION to Vacate <u>167</u> Order, <i>directing the retention of accessibility trainers</i>. Use the event type Letter found under the event list Other Documents. (ldi)

		(Entered: 06/14/2016)
06/14/2016	<u>170</u>	LETTER addressed to Magistrate Judge Henry B. Pitman from Stephen Kitzinger dated June 10, 2016 re: Order directing retention of trainers. Document filed by Board of Elections in the City of New York, Julia Dent.(Kitzinger, Stephen) (Entered: 06/14/2016)
06/14/2016	<u>171</u>	TRANSCRIPT of Proceedings re: conference held on 4/28/2016 before Magistrate Judge Henry B. Pitman. Court Reporter/Transcriber: Pamela Utter, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/8/2016. Redacted Transcript Deadline set for 7/18/2016. Release of Transcript Restriction set for 9/15/2016.(McGuirk, Kelly) (Entered: 06/14/2016)
06/14/2016	<u>172</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 4/28/16 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 06/14/2016)
06/15/2016		Minute Entry for proceedings held before Magistrate Judge Henry B. Pitman: Telephone Conference held on 6/15/2016. (bh) (Entered: 06/15/2016)
06/17/2016		Minute Entry for proceedings held before Magistrate Judge Henry B. Pitman: Telephone Conference held on 6/17/2016. Discovery conference set for July 6, 2016 at 3:00pm. (bh) (Entered: 06/17/2016)
07/06/2016		Minute Entry for proceedings held before Magistrate Judge Henry B. Pitman: Telephone Conference held on 7/6/2016. (bh) (Entered: 07/07/2016)
12/01/2016	<u>173</u>	LETTER addressed to Judge Deborah A. Batts from Stephen Kitzinger dated December 1, 2016 re: Board of Elections compliance with terms of the remedial order. Document filed by Board of Elections in the City of New York, Julia Dent.(Kitzinger, Stephen) (Entered: 12/01/2016)
12/01/2016	<u>174</u>	LETTER addressed to Judge Deborah A. Batts from Christina Brandt-Young dated 12/01/2016 re: Progress under the Courts October 18, 2012 Remedial Order and requests for extension of jurisdiction and additional training. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Brandt-Young, Christina) (Entered: 12/01/2016)
12/01/2016	<u>175</u>	LETTER addressed to Judge Deborah A. Batts from Christina Brandt-Young dated 12/01/2016 re: Request for pre-motion conference to join the Department of Education for purposes of enforcement of the remedial order. Document filed by Disabled in Action, United Spinal Association.(Brandt-Young, Christina) (Entered: 12/01/2016)
12/06/2016	<u>176</u>	LETTER addressed to Judge Deborah A. Batts from Stephen Kitzinger dated December 6, 2016 re: Response to plaintiffs' pre-motion letter. Document filed by Board of Elections in the City of New York.(Kitzinger, Stephen) (Entered: 12/06/2016)
12/22/2016	<u>177</u>	ORDER. The Remedial Order of October 18, 2012 (dkt. 119), modified on May 13, 2013 (dkt. 130), is set to expire on December 31, 2016. The Court hereby EXTENDS the Remedial Order to December 31, 2018. This Court will retain jurisdiction over the above-captioned case until December 31, 2018. However, the Court's October 19, 2012 Order of Reference to Magistrate Judge Pitman (dkt. 122), over all matters concerning implementation of the Remedial Order, remains in effect. Parties are directed to send all future correspondence to Magistrate Judge Pitman. SO ORDERED. (Signed by Judge Deborah A. Batts on 12/22/2016) (rjm) (Entered: 12/23/2016)
12/23/2016	<u>178</u>	Vacated as per Judge's Order dated 12/28, Doc. #180 ORDER: Accordingly, for all the foregoing reasons, it is hereby ORDERED that: (1) the Court will maintain

		jurisdiction over compliance with Judge Batts' May 13 Order until December 31, 2019 and (2) the parties shall submit letter briefs no later than December 1, 2019 addressing the BOE's compliance with Judge Batts' the May 13, 2013 Order and making recommendations as to whether the Court should continue to retain jurisdiction over the matter. (Signed by Magistrate Judge Henry B. Pitman on 12/23/2016) (cla) Modified on 12/28/2016 (cf). (Entered: 12/23/2016)
12/23/2016	<u>179</u>	MEMO ENDORSEMENT on re: <u>176</u> Letter re: Response to plaintiffs' pre-motion letter, filed by Board of Elections in the City of New York. ENDORSEMENT: I do not believe the issue raised in this letter can be resolved in a pre-motion conference. Plaintiffs may make their proposed motion whenever they deem it appropriate. (Signed by Magistrate Judge Henry B. Pitman on 12/23/2016) (cla) (Entered: 12/23/2016)
12/28/2016	<u>180</u>	ORDER: In view of Judge Batts' Order dated December 22, 2016 (Docket Item 177), my Order dated December 23, 2016 (Docket Item 178) is hereby vacated in all respects. (Signed by Magistrate Judge Henry B. Pitman on 12/28/2016) Copies Sent By Chambers. (cf) (Entered: 12/28/2016)
01/04/2017	<u>181</u>	ORDER: In light of Magistrate Judge Pittman's well-reasoned Order of December 23, 2016 (dkt. 178), the Court shall retain jurisdiction until December 31, 2019. The Court's initial extension Order (dkt. 177) is vacated in all respects. Consistent with Judge Pitman's Order (dkt. 178), Parties shall submit letter briefs to Judge Pittman no later than December 1, 2019, addressing the BOE's compliance with this Court's May 13 Order and whether the Court should continue to retain jurisdiction. (Signed by Judge Deborah A. Batts on 1/4/2017) (kgo) (Entered: 01/04/2017)
01/27/2017	<u>182</u>	MOTION to Add <i>New York City Department of Education</i> . Document filed by Disabled in Action, United Spinal Association.(Brandt-Young, Christina) (Entered: 01/27/2017)
01/27/2017	<u>183</u>	MEMORANDUM OF LAW in Support re: <u>182</u> MOTION to Add <i>New York City Department of Education</i> . . Document filed by Disabled in Action, United Spinal Association. (Brandt-Young, Christina) (Entered: 01/27/2017)
01/27/2017	<u>184</u>	DECLARATION of Claire Molholm in Support re: <u>182</u> MOTION to Add <i>New York City Department of Education</i> .. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Brandt-Young, Christina) (Entered: 01/27/2017)
01/27/2017	<u>185</u>	DECLARATION of Christina Brandt-Young in Support re: <u>182</u> MOTION to Add <i>New York City Department of Education</i> .. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit C, # <u>2</u> Exhibit D, # <u>3</u> Exhibit E, # <u>4</u> Exhibit F, # <u>5</u> Exhibit G, # <u>6</u> Exhibit H, # <u>7</u> Exhibit I, # <u>8</u> Exhibit J)(Brandt-Young, Christina) (Entered: 01/27/2017)
01/27/2017	<u>186</u>	DECLARATION of Cheri Rosen in Support re: <u>182</u> MOTION to Add <i>New York City Department of Education</i> .. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Brandt-Young, Christina) (Entered: 01/27/2017)
01/27/2017	<u>187</u>	CERTIFICATE OF SERVICE of Motion to Join the New York City Department of Education for the Purpose of Implementing this Courts Remedial Order served on New York City Department of Education on January 27, 2017. Service was made by Mail. Document filed by Disabled in Action, United Spinal Association. (Brandt-Young, Christina) (Entered: 01/27/2017)
02/14/2017	<u>188</u>	CERTIFICATE OF SERVICE of Motion to Join the New York City Department of Education for the Purpose of Implementing this Courts Remedial Order dated January 27, 2017 served on Paul Marks on February 14, 2017. Service was accepted by B. Mazyck. Document filed by Disabled in Action, United Spinal Association. (Brandt-Young, Christina) (Entered: 02/14/2017)
02/15/2017	<u>189</u>	NOTICE OF APPEARANCE by Alan Maer Schlesinger on behalf of New York City Department of Education. (Schlesinger, Alan) (Entered: 02/15/2017)
02/21/2017	<u>190</u>	FIRST LETTER MOTION for Extension of Time <i>For DOE To Respond To Plaintiffs' Motion To Join Under the All Writs Act</i> addressed to Magistrate Judge Henry B. Pitman from Alan M. Schlesinger For DOE dated February 21, 2017. Document filed

		by New York City Department of Education.(Schlesinger, Alan) (Entered: 02/21/2017)
02/21/2017	<u>191</u>	LETTER addressed to Magistrate Judge Henry B. Pitman from Christina Brandt-Young dated 02/21/2017 re: Response to the Department of Educations Letter Motion for Extension of Time to Respond to Plaintiffs Motion to Join Under the All Writs Act. Document filed by Disabled in Action, United Spinal Association.(Brandt-Young, Christina) (Entered: 02/21/2017)
02/22/2017	<u>192</u>	LETTER MOTION for Extension of Time to File Response/Reply as to <u>191</u> Letter, <u>190</u> FIRST LETTER MOTION for Extension of Time <i>For DOE To Respond To Plaintiffs' Motion To Join Under the All Writs Act</i> addressed to Magistrate Judge Henry B. Pitman from Alan M. Schlesinger For DOE dated February 21, 2017. <i>Reply Letter Concerning DOE's Leter Motion For An Extension Of Time</i> addressed to Magistrate Judge Henry B. Pitman from Alan M. Schlesinger For DOE dated February 22, 2017. Document filed by New York City Department of Education.(Schlesinger, Alan) (Entered: 02/22/2017)
02/22/2017	<u>193</u>	ORDER granting <u>190</u> Letter Motion for Extension of Time. DOE's time to respond to Plaintiff's motion is extended to 3-20-17. (Signed by Magistrate Judge Henry B. Pitman on 2/22/2017) (cf) (Entered: 02/22/2017)
02/22/2017		Set/Reset Deadlines: Responses due by 3/20/2017 (cf) (Entered: 02/22/2017)
03/20/2017	<u>194</u>	MEMORANDUM OF LAW in Opposition re: <u>182</u> MOTION to Add <i>New York City Department of Education. Under the All Writs Act</i> . Document filed by New York City Department of Education. (Schlesinger, Alan) (Entered: 03/20/2017)
03/20/2017	<u>195</u>	RESPONSE to Motion re: <u>182</u> MOTION to Add <i>New York City Department of Education. (Statement of no position)</i> . Document filed by Board of Elections in the City of New York. (Kitzinger, Stephen) (Entered: 03/20/2017)
03/24/2017	<u>196</u>	NOTICE OF APPEARANCE by Seth Emmanuel Packrone on behalf of Disabled in Action, United Spinal Association. (Packrone, Seth) (Entered: 03/24/2017)
03/27/2017	<u>197</u>	REPLY MEMORANDUM OF LAW in Support re: <u>182</u> MOTION to Add <i>New York City Department of Education.</i> . Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Brandt-Young, Christina) (Entered: 03/27/2017)
05/24/2017	<u>198</u>	LETTER addressed to Magistrate Judge Henry B. Pitman from Christina Brandt-Young and Stephen Kitzinger dated May 24, 2017 re: Revised American with Disabilities Act Checklist. Document filed by Disabled in Action, United Spinal Association. (Attachments: # <u>1</u> Exhibit A)(Brandt-Young, Christina) (Entered: 05/24/2017)
10/11/2017	<u>199</u>	REPORT AND RECOMMENDATION re: <u>182</u> MOTION to Add <i>New York City Department of Education</i> , filed by Disabled in Action, United Spinal Association. Accordingly, for all the foregoing reasons, I respectfully recommend that plaintiffs' motion requesting an Order pursuant to the All Writs Act, 28 U.S.C. Section 1651, joining the DOE, and directing the DOE to permanently resolve accessibility barriers at certain public schools and to take steps to ensure its employees do not frustrate defendants' implementation of the Remedial Orders (D.I. 182), be denied in all respects. Pursuant to 28 U.S.C. Section 636(b) (1) (c) and Rule 72(b) of the Federal Rules of Civil Procedure, the parties shall have fourteen (14) days from receipt of this Report to file written objections. See also Fed. R. Civ. P. 6(a). Such objections (and responses thereto) shall be filed with the Clerk of the Court with courtesy copies delivered to the Chambers of the Honorable Deborah A. Batts, United States District Judge, Room 2510, 500 Pearl Street, New York, New York 10007, and to the Chambers of the undersigned, 500 Pearl Street, Room 1670, New York, New York 10007. Any requests for an extension of time for filing objections must be directed to Judge Batts. FAILURE TO OBJECT WITHIN FOURTEEN (14) DAYS WILL RESULT IN A WAIVER OF OBJECTIONS AND WILL PRECLUDE APPELLATE REVIEW. <i>Thomas v. Arn</i> , 474 U.S. 140, 155 (1985); <i>United States v. Male Juvenile</i> , 121 F.3d 34, 38 (2d Cir. 1997); <i>Frank v. Johnson</i> , 968 F.2d 298, 300 (2d Cir. 1992); <i>Wesolek v. Canadair Ltd.</i> , 838 F.2d 55, 57-59 (2d Cir. 1988); <i>McCarthy v. Manson</i> , 714 F.2d 234, 237-238 (2d Cir. 1983), and as further set forth herein. (Objections to R&R due by 10/25/2017.) (Signed by Magistrate Judge Henry B. Pitman on

		10/11/2017) Copies Transmitted By Chambers. (ras) (Entered: 10/11/2017)
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