

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:18-cv-05213-WHP**

United States of America v. New York City Housing Authority
Assigned to: Judge William H. Pauley, III
Related Case: 1:17-cv-07481-WHP
Cause: 42:1437 U.S. Housing Act of 1937

Date Filed: 06/11/2018
Date Terminated: 03/15/2019
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government Plaintiff

Plaintiff

United States of America

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Date Filed	#	Docket Text
06/11/2018	<u>1</u>	FILING ERROR – DEFICIENT PLEADING – SIGNATURE ERROR – COMPLAINT against New York City Housing Authority. Document filed by United States of America.(Yalen, Robert) Modified on 6/12/2018 (pne). (Entered: 06/11/2018)
06/11/2018	<u>2</u>	CIVIL COVER SHEET filed. (Yalen, Robert) (Entered: 06/11/2018)
06/11/2018	<u>3</u>	STATEMENT OF RELATEDNESS re: that this action be filed as related to 13 Civ. 8916 (WHP). Document filed by United States of America.(Yalen, Robert) (Entered: 06/11/2018)

		06/11/2018)
06/11/2018	<u>4</u>	STATEMENT OF RELATEDNESS re: that this action be filed as related to 17 Civ. 7481 (WHP). Document filed by United States of America.(Yalen, Robert) (Entered: 06/11/2018)
06/11/2018	<u>5</u>	SETTLEMENT AGREEMENT . Document filed by United States of America. (Attachments: # <u>1</u> Attachment A – Proposed Consent Decree)(Yalen, Robert) (Entered: 06/11/2018)
06/11/2018	<u>6</u>	NOTICE OF APPEARANCE by Monica Pilar Folch on behalf of United States of America. (Folch, Monica) (Entered: 06/11/2018)
06/11/2018	<u>7</u>	NOTICE OF APPEARANCE by Jacob Thomas Lillywhite on behalf of United States of America. (Lillywhite, Jacob) (Entered: 06/11/2018)
06/11/2018	<u>8</u>	NOTICE OF APPEARANCE by Talia Kraemer on behalf of United States of America. (Kraemer, Talia) (Entered: 06/11/2018)
06/11/2018	<u>9</u>	NOTICE OF APPEARANCE by Monica Pilar Folch on behalf of United States of America. (Folch, Monica) (Entered: 06/11/2018)
06/11/2018	<u>10</u>	NOTICE OF APPEARANCE by Sharanya Mohan on behalf of United States of America. (Mohan, Sharanya) (Entered: 06/11/2018)
06/12/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Unassigned. (pne) (Entered: 06/12/2018)
06/12/2018		Case Designated ECF. (pne) (Entered: 06/12/2018)
06/12/2018		CASE REFERRED TO Judge William H. Pauley as possibly related to 13CV8916 and 17CV7481. (pne) (Entered: 06/12/2018)
06/12/2018		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Robert William Yalen to RE–FILE Document No. <u>1</u> Complaint. The filing is deficient for the following reason: the pleading was not signed by the filing attorney. Re–file the pleading using the event type Complaint found under the event list Complaints and Other Initiating Documents – attach the correct signed PDF – select the individually named filer/filers – select the individually named party/parties the pleading is against. (pne) (Entered: 06/12/2018)
06/12/2018		CASE ACCEPTED AS RELATED. Create association to 1:17–cv–07481–WHP. Notice of Assignment to follow. (wb) (Entered: 06/12/2018)
06/12/2018		NOTICE OF CASE REASSIGNMENT to Judge William H. Pauley, III. Judge Unassigned is no longer assigned to the case. (wb) (Entered: 06/12/2018)
06/12/2018		Magistrate Judge Katharine H. Parker is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (wb) (Entered: 06/12/2018)
06/12/2018	<u>11</u>	COMPLAINT against New York City Housing Authority. Document filed by United States of America.(Berman, Geoffrey) (Entered: 06/12/2018)
06/12/2018	<u>22</u>	LETTER addressed to Judge William H. Pauley, III from Daniel Barber dated 6/12/2018 re: opposition of the Consent Decree in this matter. Document filed by City–Wide Council of Presidents, Inc. (jwh) (Entered: 06/27/2018)
06/13/2018	<u>12</u>	NOTICE OF APPEARANCE by Alan Schoenfeld on behalf of New York City Housing Authority. (Schoenfeld, Alan) (Entered: 06/13/2018)
06/13/2018	<u>13</u>	NOTICE OF APPEARANCE by Debo Patrick Adegbile on behalf of New York City Housing Authority. (Adegbile, Debo) (Entered: 06/13/2018)
06/19/2018	<u>14</u>	REQUEST TO PARTICIPATE of City–Wide Council of Presidents, Inc. <i>Pre–Motion Letter</i> . Document filed by City–Wide Council of Presidents, Inc..(Gueron, Nicole) (Entered: 06/19/2018)

06/19/2018	<u>15</u>	NOTICE OF APPEARANCE by Nicole L. Gueron on behalf of City–Wide Council of Presidents, Inc., At–Risk Community Services, Inc.. (Gueron, Nicole) (Entered: 06/19/2018)
06/19/2018	<u>16</u>	NOTICE OF APPEARANCE by Melissa Costiere Holsinger on behalf of At–Risk Community Services, Inc., City–Wide Council of Presidents, Inc.. (Holsinger, Melissa) (Entered: 06/19/2018)
06/19/2018	<u>17</u>	NOTICE OF APPEARANCE by Emily Reisbaum on behalf of At–Risk Community Services, Inc., City–Wide Council of Presidents, Inc.. (Reisbaum, Emily) (Entered: 06/19/2018)
06/26/2018	<u>18</u>	LETTER addressed to Judge William H. Pauley, III from Robert William Yalen dated June 26, 2018 re: Pre–Motion Letter re Intervention. Document filed by United States of America.(Yalen, Robert) (Entered: 06/26/2018)
06/26/2018	<u>19</u>	NOTICE OF APPEARANCE by Georgia Mary Pestana on behalf of City of New York. (Pestana, Georgia) (Entered: 06/26/2018)
06/26/2018	<u>20</u>	LETTER addressed to Judge William H. Pauley, III from Debo P. Adegbile dated June 26, 2018 re: Response to June 19, 2018 Letter. Document filed by New York City Housing Authority.(Adegbile, Debo) (Entered: 06/26/2018)
06/26/2018	<u>21</u>	LETTER addressed to Judge William H. Pauley, III from Georgia M. Pestana dated 06/26/2018 re: Response to letter Dkt #14. Document filed by City of New York.(Pestana, Georgia) (Entered: 06/26/2018)
06/28/2018	<u>23</u>	SCHEDULING ORDER: Counsel for the parties are directed to appear in Courtroom 20B at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York on July 10, 2018 at 10:00 a.m. for a status conference to discuss procedures for a fairness hearing in connection with the proposed consent decree in this action and to discuss the ramifications of the proposed consent decree filed in Baez et al. v. New York City Housing Authority, 13cv8916 (S.D.N.Y.). (See ECF Nos. 166 & 172, 13cv8916.) The parties are invited to submit letter memoranda addressing these issues by 12:00 p.m. on July 9, 2018. Counsel for the proposed intervenors, City–Wide Council of Presidents, Inc. and the At–Risk Community Services, Inc., are also directed to appear at the conference to discuss their proposed motion to intervene. (Status Conference set for 7/10/2018 at 10:00 AM in Courtroom 20B, 500 Pearl Street, New York, NY 10007 before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 6/28/2018) (jwh) (Entered: 06/28/2018)
07/08/2018	<u>24</u>	NOTICE OF APPEARANCE by Jeffrey Stuart Oestericher on behalf of United States of America. (Oestericher, Jeffrey) (Entered: 07/08/2018)
07/09/2018	<u>25</u>	LETTER addressed to Judge William H. Pauley, III from Georgia M Pestana dated July 9, 2018 re: proposed consent decree. Document filed by City of New York.(Pestana, Georgia) (Entered: 07/09/2018)
07/09/2018	<u>26</u>	LETTER from Debo P. Adegbile dated July 9, 2018 re: Proposed Consent Decree. Document filed by New York City Housing Authority.(Adegbile, Debo) (Entered: 07/09/2018)
07/09/2018	<u>27</u>	LETTER addressed to Judge William H. Pauley, III from Robert William Yalen dated July 9, 2018 re: Scheduling Order. Document filed by United States of America.(Yalen, Robert) (Entered: 07/09/2018)
07/13/2018	<u>28</u>	SCHEDULING ORDER: The parties in the above–captioned cases (the "Parties"), interested party The City of New York (the "City"), and proposed intervenors City–Wide Council of Presidents, Inc. and At–Risk Community Services, Inc. (the "Proposed Intervenors") having appeared for a status conference and pre–motion conference in the above–captioned matters on July 10, 2018, this Court enters the following schedule on consent: (1) The Parties shall confer and agree on a form of notice to any interested parties, a cost–effective method for providing notice to interested parties, and a proposal for soliciting and aggregating public comments for approval by this Court no later than July 17, 2018, after which this Court will enter a further implementing order governing the procedures for the hearing; (2) The Parties shall provide notice to any interested parties by July 24, 2018; (3) Any public comments must be in writing and received by August 21, 2018; (4) The Proposed

		Intervenors shall file their motion to intervene by August 10, 2018, which shall include a brief of no more than 30 pages; (5) The United States, NYCHA, and the City shall file one consolidated opposition brief of no more than 30 pages by August 24, 2018; (6) The Proposed Intervenors shall file a reply brief of no more than 15 pages by August 31, 2018; (7) This Court will resolve the motion to intervene on submission; (8) The Parties shall file any motion for approval of their respective settlements by August 31, 2018; (9) Any opposition papers shall be filed by September 17, 2018; (10) Any reply papers shall be filed by September 21, 2018; and (11) The Parties and any interested party that has submitted a public comment in writing shall be heard on September 26, 2018 at 9:30 a.m. (Motions due by 8/31/2018. Responses due by 9/17/2018 Replies due by 9/21/2018. Fairness Hearing set for 9/26/2018 at 09:30 AM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 7/13/2018) (jwh) (Entered: 07/13/2018)
07/17/2018	<u>29</u>	LETTER addressed to Judge William H. Pauley, III from Robert William Yalen dated July 17, 2018 re: Settlement Notices. Document filed by United States of America. (Attachments: # <u>1</u> Proposed Notice)(Yalen, Robert) (Entered: 07/17/2018)
07/18/2018	<u>30</u>	LETTER addressed to Judge William H. Pauley, III from Nicole Gueron dated July 18, 2018 re: United States v. New York City Housing Authority, No. 18 Civ. 5213 (WHP). Document filed by At-Risk Community Services, Inc., City-Wide Council of Presidents, Inc..(Gueron, Nicole) (Entered: 07/18/2018)
07/18/2018	<u>31</u>	MEMO ENDORSEMENT: on re: <u>29</u> Letter filed by United States of America. ENDORSEMENT: Application granted in part. This Court adopts the procedures set forth in paragraphs 1, 2, 3, 4, and 6. This Court further approves the form of notice except as to the section titled "Right to Comment," which shall be amended in accord with the Order Regarding Public Comment on the Proposed Settlements that is being issued simultaneously with this endorsement. The Order shall also accompany the parties' notice to be provided in accord with the procedures set forth in paragraphs 1-4. SO ORDERED. (Signed by Judge William H. Pauley, III on 7/18/2018) (ama) (Entered: 07/18/2018)
07/18/2018	<u>32</u>	ORDER REGARDING PUBLIC COMMENT ON THE PROPOSED SETTLEMENTS: The parties in the cases captioned Baez, et al. v. NYCHA and United States v. NYCHA (the "Parties") each seek judicial approval of the proposed settlements submitted in those cases. The parties request that this Court solicit public comment through which interested individuals or organizations may address the proposed settlements. To assist in determining whether either or both of the proposed settlements should be approved, this Court will solicit input from interested members of the public through written comments and participation in a public hearing to be held in Courtroom 9C at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York at 9:30 a.m. on September 26, 2018. Accordingly, this Court adopts the following procedures that must be adhered to by any individual or organization wishing to provide written comments or to be heard at the public hearing. Letters must be received by August 21, 2018 to be considered. And as set forth herein. SO ORDERED., (Status Conference set for 9/26/2018 at 09:30 AM in Courtroom 9C, 500 Pearl Street, New York, NY 10007 before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 7/18/2018) (ama) (Entered: 07/18/2018)
07/18/2018	<u>33</u>	MEMO ENDORSEMENT: on re: <u>30</u> Letter, filed by City-Wide Council of Presidents, Inc., At-Risk Community Services, Inc. ENDORSEMENT: While this Court appreciates the proposed intervenors' concerns, their request is denied at this time. SO ORDERED. (Signed by Judge William H. Pauley, III on 7/18/2018) (ama) (Entered: 07/18/2018)
08/10/2018	<u>34</u>	MOTION to Intervene . Document filed by At-Risk Community Services, Inc., City-Wide Council of Presidents, Inc..(Holsinger, Melissa) (Entered: 08/10/2018)
08/10/2018	<u>35</u>	MEMORANDUM OF LAW in Support re: <u>34</u> MOTION to Intervene . . Document filed by At-Risk Community Services, Inc., City-Wide Council of Presidents, Inc.. (Holsinger, Melissa) (Entered: 08/10/2018)
08/10/2018	<u>36</u>	DECLARATION of Daniel Barber in Support re: <u>34</u> MOTION to Intervene .. Document filed by At-Risk Community Services, Inc., City-Wide Council of Presidents, Inc.. (Holsinger, Melissa) (Entered: 08/10/2018)

08/10/2018	<u>37</u>	DECLARATION of Eliezer Hecht in Support re: <u>34</u> MOTION to Intervene .. Document filed by At-Risk Community Services, Inc., City-Wide Council of Presidents, Inc.. (Attachments: # <u>1</u> Exhibit Tenants' Petition, # <u>2</u> Exhibit Department of Investigation Report, # <u>3</u> Exhibit July 24, 2018 Letter, # <u>4</u> Exhibit Preliminary Injunction Order, # <u>5</u> Exhibit May 30, 2018 Email, # <u>6</u> Exhibit June 1, 2018 Email)(Holsinger, Melissa) (Entered: 08/10/2018)
08/24/2018	<u>38</u>	MEMORANDUM OF LAW in Opposition re: <u>34</u> MOTION to Intervene . <i>Consolidated Opposition of the United States, NYCHA, and the City of New York to the Motion to Intervene.</i> Document filed by United States of America. (Yalen, Robert) (Entered: 08/24/2018)
08/29/2018	<u>39</u>	LETTER MOTION for Leave to File Excess Pages addressed to Judge William H. Pauley, III from Robert William Yalen dated 8/29/2018. Document filed by United States of America.(Yalen, Robert) (Entered: 08/29/2018)
08/30/2018	<u>40</u>	ORDER granting <u>39</u> Letter Motion for Leave to File Excess Pages: Application granted. (Signed by Judge William H. Pauley, III on 8/30/2018) (jwh) (Entered: 08/30/2018)
08/31/2018	<u>41</u>	LETTER addressed to Judge William H. Pauley, III from Sharanya Mohan dated August 31, 2018 re: Public Comments. Document filed by United States of America. (Attachments: # <u>1</u> Index of Public Comments, # <u>2</u> Comments pp. 1-157, # <u>3</u> Comments pp. 158-299, # <u>4</u> Comments pp. 300-451, # <u>5</u> Comments pp. 452-619, # <u>6</u> Comments pp. 620-781, # <u>7</u> Comments pp. 782-899, # <u>8</u> Comments pp. 900-1124, # <u>9</u> Comments pp. 1125-1351, # <u>10</u> Comments pp. 1352-1575, # <u>11</u> Comments pp. 1576-1800, # <u>12</u> Comments pp. 1801-2022, # <u>13</u> Comments pp. 2023-2249, # <u>14</u> Comments pp. 2250-2473, # <u>15</u> Comments pp. 2474-2602, # <u>16</u> Comments pp. 2603-2687)(Mohan, Sharanya) (Entered: 08/31/2018)
08/31/2018	<u>42</u>	FIRST REPLY MEMORANDUM OF LAW in Support re: <u>34</u> MOTION to Intervene . . Document filed by At-Risk Community Services, Inc., City-Wide Council of Presidents, Inc.. (Gueron, Nicole) (Entered: 08/31/2018)
08/31/2018	<u>43</u>	MOTION to Approve Consent Judgment . Document filed by United States of America.(Yalen, Robert) (Entered: 08/31/2018)
08/31/2018	<u>44</u>	MEMORANDUM OF LAW in Support re: <u>43</u> MOTION to Approve Consent Judgment . . Document filed by United States of America. (Yalen, Robert) (Entered: 08/31/2018)
08/31/2018	<u>45</u>	DECLARATION of Monica P. Folch in Support re: <u>43</u> MOTION to Approve Consent Judgment .. Document filed by United States of America. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Yalen, Robert) (Entered: 08/31/2018)
08/31/2018	<u>46</u>	MEMORANDUM OF LAW in Support re: <u>43</u> MOTION to Approve Consent Judgment . . Document filed by New York City Housing Authority. (Adegbile, Debo) (Entered: 08/31/2018)
08/31/2018	<u>47</u>	MEMORANDUM OF LAW in Support re: <u>43</u> MOTION to Approve Consent Judgment . . Document filed by City of New York. (Pestana, Georgia) (Entered: 08/31/2018)
09/04/2018	<u>48</u>	LETTER addressed to Judge William H. Pauley, III from Nicole Gueron dated September 4, 2018 re: documents filed in connection with motion to intervene. Document filed by At-Risk Community Services, Inc., City-Wide Council of Presidents, Inc..(Gueron, Nicole) (Entered: 09/04/2018)
09/13/2018	<u>49</u>	OPINION & ORDER re: <u>34</u> MOTION to Intervene: For the foregoing reasons, CCOP and At-Risk's motion is granted in part. Intervention is granted solely for the limited purpose of opposing the Proposed Consent Decree and as otherwise limited by this Opinion & Order. This Court may, in its discretion, revise the scope of this limited intervention as this action unfolds. Any opposition papers by CCOP and At-Risk shall be filed by September 21, 2018, and any reply papers shall be filed by September 24, 2018. Paragraphs 9 and 10 of this Court's July 13, 2018 Scheduling Order are vacated. The Clerk of Court is directed to terminate the motion pending at ECF No. 34. (Set Deadlines/Hearing as to <u>43</u> MOTION to Approve Consent Judgment: Responses due by 9/21/2018, Replies due by 9/24/2018.) (Signed by Judge William H. Pauley, III on

		9/13/2018) (jwh) (Entered: 09/13/2018)
09/14/2018	<u>50</u>	LETTER addressed to Judge William H. Pauley, III from Sharanya Mohan dated September 14, 2018 re: Additional Public Comments. Document filed by United States of America. (Attachments: # <u>1</u> Supplemental Index of Public Comments, # <u>2</u> Comments pp. 2688–2725)(Mohan, Sharanya) (Entered: 09/14/2018)
09/20/2018	<u>51</u>	MOTION for Saurabh Sanghvi to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–15597707. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by New York City Housing Authority. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate of Good Standing – NY, # <u>3</u> Certificate of Good Standing – DC, # <u>4</u> Text of Proposed Order)(Sanghvi, Saurabh) (Entered: 09/20/2018)
09/21/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>51</u> MOTION for Saurabh Sanghvi to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–15597707. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 09/21/2018)
09/21/2018	<u>52</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>51</u> Motion for Saurabh Sanghvi to Appear Pro Hac Vice. (Signed by Judge William H. Pauley, III on 9/21/2018) (jca) (Entered: 09/21/2018)
09/21/2018	<u>53</u>	MEMORANDUM OF LAW in Opposition re: <u>43</u> MOTION to Approve Consent Judgment . . Document filed by At–Risk Community Services, Inc., City–Wide Council of Presidents, Inc.. (Holsinger, Melissa) (Entered: 09/21/2018)
09/21/2018	<u>54</u>	ORDER REGARDING PROCEDURES FOR THE SEPTEMBER 26, 2018 HEARING: A public hearing on those settlements will be held in Courtroom 9C at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York at 9:30 a.m. on September 26, 2018. This Court adopts the following procedures that shall be adhered to by the parties and members of the public. Agenda: This Court will hear first from individuals and organizations who have submitted written comments and requested an opportunity to be heard. These individuals and organizations will be heard in the order in which this Court calls them to the podium, with more detailed instructions to be provided at the check–in area. All speakers shall first state their full name and if applicable, the organization with which they are affiliated or the NYCHA development in which they reside. To ensure that all may be heard, speakers will be limited to two (2) minutes each; and as further set forth herein. SO ORDERED. (Signed by Judge William H. Pauley, III on 9/21/2018) (anc) Modified on 1/30/2019 (anc). (Entered: 09/21/2018)
09/24/2018	<u>55</u>	REPLY MEMORANDUM OF LAW in Support re: <u>43</u> MOTION to Approve Consent Judgment . (<i>Reply Memorandum of Law in Support of Motion to Enter the Consent Decree</i>). Document filed by New York City Housing Authority. (Adegbile, Debo) (Entered: 09/24/2018)
09/24/2018	<u>56</u>	REPLY MEMORANDUM OF LAW in Support re: <u>43</u> MOTION to Approve Consent Judgment . <i>and In Reply to Docket #53</i> . Document filed by City of New York. (Pestana, Georgia) (Entered: 09/24/2018)
09/24/2018	<u>57</u>	REPLY MEMORANDUM OF LAW in Support re: <u>43</u> MOTION to Approve Consent Judgment . . Document filed by United States of America. (Yalen, Robert) (Entered: 09/24/2018)
09/25/2018	<u>58</u>	LETTER addressed to Judge William H. Pauley, III from Sharanya Mohan dated September 25, 2018 re: Additional Public Comments. Document filed by United States of America. (Attachments: # <u>1</u> Supplemental Index of Public Comments, # <u>2</u> Comments pp. 2726–2740, # <u>3</u> Comments pp. 2741–2757, # <u>4</u> Comments pp. 2758–2776)(Mohan, Sharanya) (Entered: 09/25/2018)
09/25/2018	<u>59</u>	LETTER addressed to Judge William H. Pauley, III from Robert Yalen dated 9/25/2018 re: Motion to Enter. Document filed by United States of America.(Yalen, Robert) (Entered: 09/25/2018)
09/26/2018		Minute Entry for proceedings held before Judge William H. Pauley, III: Fairness Hearing held on 9/26/2018. (Entered: 09/28/2018)

09/27/2018	<u>61</u>	NOTICE OF APPEARANCE by Mark W. Muschenheim on behalf of City of New York. (Muschenheim, Mark) (Entered: 09/27/2018)
10/11/2018	<u>62</u>	LETTER addressed to Judge William H. Pauley, III from Sharanya Mohan dated October 11, 2018 re: Additional Public Comments. Document filed by United States of America. (Attachments: # <u>1</u> Supplemental Index of Public Comments, # <u>2</u> Comments pp. 2777-2801)(Mohan, Sharanya) (Entered: 10/11/2018)
11/13/2018	<u>63</u>	LETTER addressed to Judge William H. Pauley, III from Dionne Boyd dated Undated re: Thank you. I hope this Thank you care finds you well. I have moved into my new apartment Oct 14th I am truly grateful thank you so much...for being so thoughtful. (jca) (Entered: 11/14/2018)
11/14/2018	<u>64</u>	OPINION AND ORDER: This Court does not reject the Proposed Consent Decree lightly. The rejection of this decree will likely delay sorely needed relief for NYCHA tenants while the parties decide whether to re-negotiate, seek administrative remedies, litigate, or appeal, and a courts refusal to accept a proposed consent decree may have practical consequences for the governments ability to negotiate future settlements. Microsoft Corp., 56 F.3d at 1456. But as it stands, the proposed decree suffers from fatal procedural flaws, including its formless injunctive relief and enforcement mechanisms. The proposed decree also raises serious concerns implicating the separation of powers and the delegation of equitable judicial power, which appear attributable at least in part to the parties sidestepping of the existing statutory scheme to address public housing failures. And on a more basic level, the nature of the claims asserted by the Government raises questions as to the scope and applicability of Citigroup. Any judicial decree entered in this action will have a direct, tangible, and long-lasting impact not only on the parties, but most importantly on NYCHAs tenants. Because the Proposed Consent Decree is not fair and reasonable, and because its entry would disserve the public interest, the Governments motion for approval is denied. The parties are directed to submit a joint status report by December 14, 2018 detailing their respective positions on how they wish to proceed. That status report should also advise this Court regarding NYCHAs compliance to date with its obligations under paragraphs 67-70 of the Proposed Consent Decree. The Clerk of Court is directed to terminate the motion pending at ECF No. 43. SO ORDERED. (Signed by Judge William H. Pauley, III on 11/14/2018) (jca) (Entered: 11/14/2018)
12/07/2018	<u>65</u>	TRANSCRIPT of Proceedings re: CORRECTED TRANSCRIPT held on 9/26/2018 before Judge William H. Pauley, III. Court Reporter/Transcriber: Michael McDaniel, (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 12/28/2018. Redacted Transcript Deadline set for 1/7/2019. Release of Transcript Restriction set for 3/7/2019.(McGuirk, Kelly) (Entered: 12/07/2018)
12/07/2018	<u>66</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE CORRECTED proceeding held on 9/26/18 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: 12/07/2018)
12/14/2018	<u>67</u>	STATUS REPORT. (Joint) Document filed by New York City Housing Authority. (Attachments: # <u>1</u> Exhibit 1- EPA Pamphlet)(Adegbile, Debo) (Entered: 12/14/2018)
12/14/2018	<u>68</u>	LETTER addressed to Judge William H. Pauley, III from EAST BROOKLYN CONGREGATIONS – an Affiliate of the Industrial Areas Foundation dated 12/12/2018 re: Public Comment on the Case. (jwh) (Entered: 12/17/2018)
12/27/2018	<u>69</u>	STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahan on 12/27/2018) (jca) (Entered: 01/02/2019)
12/27/2018		Case Stayed (jca) (Entered: 01/14/2019)

01/18/2019	<u>70</u>	LETTER addressed to Mr. Stanley Brezenoff from Benjamin S. Carson, Sr., M.D. Secretary dated 12/14/2018 re: Please be advised that If an arrangement acceptable to the United States Department of Housing and Urban Development regarding the future of the New York City Housing Authority (NYCHA) is not reached on or before January 31, 2019, I intend to declare a substantial default with respect to NYCHA and exercise appropriate remedies from the wide range available under the United States Housing Act of 1937, as amended, and other legal authorities. (rjm) (Entered: 01/18/2019)
01/18/2019	<u>71</u>	MEMORANDUM AND ORDER. Though the public interests at stake are of paramount importance, a federal court that is neither democratically accountable nor an advocate for either side may only "adjudicate specific controversies between adverse litigants over which and over whom they have jurisdiction." Cty. Court of Ulster Cty. v. Allen, 442 U.S. 140, 154 (1979). Accordingly, the parties should be prepared to advise this Court how they intend to litigate this case. So ordered. (Signed by Judge William H. Pauley, III on 1/18/2019) (rjm) (Entered: 01/18/2019)
01/28/2019	<u>72</u>	LETTER addressed to Judge William H. Pauley, III from T. Komatsu, dated 1/28/19 re: Plaintiffs writes that, for these reasons(as indicated) as well as those which he has discussed at length in his letter to the Court dated 9/24/18, he urges Judge Pauley to make arrangements with Judge Schofield to diligently review the affidavit which he filed in his federal lawsuit on 1/23/19 along with its supporting affidavits mainly for the purpose of making a better-informed decision as to whether he can reasonably entrust the safety and well-being of tenants in NYCHA housing to the Mayor's administration. (sc) Modified on 1/29/2019 (sc). (Entered: 01/29/2019)
01/31/2019	<u>73</u>	STATUS REPORT. <i>Joint Status Report</i> Document filed by United States of America.(Yalen, Robert) (Entered: 01/31/2019)
02/01/2019	<u>74</u>	MEMO ENDORSEMENT on <u>73</u> STATUS REPORT. ENDORSEMENT: Application granted. This action is stayed as set forth herein. (Signed by Judge William H. Pauley, III on 2/1/2019) (jwh) (Entered: 02/01/2019)
03/14/2019	<u>75</u>	NOTICE OF VOLUNTARY DISMISSAL pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the plaintiff(s) and or their counsel(s), hereby give notice that the above-captioned action is voluntarily dismissed, without prejudice against the defendant(s) New York City Housing Authority. Document filed by United States of America. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers).. (Attachments: # <u>1</u> Exhibit Agreement)(Yalen, Robert) (Entered: 03/14/2019)
03/15/2019		***NOTICE TO COURT REGARDING NOTICE OF VOLUNTARY DISMISSAL Document No. <u>75</u> Notice of Voluntary Dismissal was reviewed and referred to Judge William H. Pauley, III for approval for the following reason(s): Settlement agreement attached. (km) (Entered: 03/15/2019)
03/15/2019	<u>76</u>	NOTICE OF DISMISSAL WITHOUT PREJUDICE PURSUANT TO RULE 41(a)(1)(A)(i): NOW, THEREFORE, PLEASE TAKE NOTICE that pursuant to Rule 41(a)(1)(A)(i): The United States hereby dismisses the complaint in this action without prejudice. The Clerk of Court is directed to mark this case as closed. SO ORDERED. (Signed by Judge William H. Pauley, III on 3/15/2019) (ne) (Entered: 03/15/2019)
03/15/2019		Terminate Transcript Deadlines (ne) (Entered: 03/15/2019)
05/03/2019	<u>77</u>	LETTER addressed to Judge William H. Pauley, III from Debo P. Adegbile dated May 3, 2019 re: Inadvertent Error in Status Report. Document filed by New York City Housing Authority.(Adegbile, Debo) (Entered: 05/03/2019)