

**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:72-cv-01041-JBW**

Hart v. Community School Bd.  
Assigned to: Senior-Judge Jack B. Weinstein  
Demand: \$0  
other Case: [1:08-cv-00210-JBW-KAM](#)  
Cause: 99:9999 Report cause code (DO NOT  
DELETE)

Date Filed: 08/04/1972  
Date Terminated: 04/22/1979  
Jury Demand: None  
Nature of Suit: 440 Civil Rights:  
Other  
Jurisdiction: Federal Question

**Plaintiff**

**Jeffrey Hart**  
*as a minor by parent and next of  
friend, Doris Hart*

represented by **James I Meyerson**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Community School Board,  
District 21 of the Board of  
Education of the City School  
District of the City of New York**  
521 West Avenue  
Brooklyn, NY 11224  
718-714-2500

represented by **Corporation Counsel New York  
City**  
Corp. Counsel of the City of NY  
100 Church Street  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Gail P. Rubin**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Concerned Parents of District 21** represented by **Concerned Parents of District 21**  
c/o Muriel Kerzer  
315 8th Avenue  
Apartment 21 D  
New York, NY 10001  
PRO SE

V.


**Intervenor**

**Anjan Rau** represented by **Michael Evan Rosman**  
Center For Individual Rights  
1233 20th Street, NW  
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Email: rosman@cir-usa.org  
*LEAD ATTORNEY*  
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**Intervenor**

**Kanchan Katapadi** represented by **Michael Evan Rosman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
08/04/1972		REFER TO MANUAL DOCKET FOR PRIOR ENTRIES. (Reddy, Lisa) (Entered: 04/22/1998)
04/22/1979		Case closed. (Reddy, Lisa) (Entered: 04/22/1998)
04/09/1998	444	ORDER, approving modification to original Mark Twain J.H.S. "Remedy Plan" . (Signed by Judge Jack B. Weinstein, dated 4/8/98). (Reddy, Lisa) Modified on 04/22/1998 (Entered: 04/22/1998)
04/22/1998	445	ORDER, approving modification to original Mark Twain J.H.S. "Remedy Plan" . (Signed by Judge Jack B. Weinstein, dated

		4/20/98). C/M by Chambers. (Reddy, Lisa) Modified on 04/22/1998 (Entered: 04/22/1998)
10/31/2000	446	LETTER dated 10/25/00 from Ethel Tucker to Judge Weinstein, they are submitting a new Federal Magnet Grant proposal and would like to specify the following schools as possible federally funded magnet schools: PS 90, PS 97, PS 188, PS 212, PS 238, PS 288, and PS 329. They are therefore requesting modification to their original court ordered "Remedy Plan" so that they may submit their magnet proposal in a timely fashion. (Greene, Donna) Modified on 1/2/2008 to indicate that this is document 446(Barrett, C). (Entered: 10/31/2000)
10/31/2000		Endorsed order on page 2 of doc. #446. The court doubts that continuing jurisdiction is still justified. Since no objections is interposed, the order is signed. ( Signed by Judge Jack B. Weinstein , on 10/27/00). (Greene, Donna) Modified on 1/2/2008 to indicate that this order is endorsed on doc. # 446. (Barrett, C). (Entered: 10/31/2000)
12/21/2006	 <a href="#">447</a>	ORDER Modifying the Remedy Plan. Ordered by Judge Jack B. Weinstein on 2/27/2004. (Endorsed on letter faxed 2/26/2004 from Ethel Tucker to USDJ Weinstein) Chambers mailed copies on 2/27. (Barrett, C.) Modified on 1/2/2008 to indicate that this is doc. # 447. (Barrett, C). (Entered: 12/21/2006)
01/05/2007		NOTICE case ordered from archives on January 05, 2007 for June Lowe. (Harris, Bernard) (Entered: 01/05/2007)
01/09/2007		NOTICE one folder received from archives on January 9, 2007 and the requester was notified. (Harris, Bernard) (Entered: 01/09/2007)
04/12/2007	<a href="#">448</a>	ORDER approving request to modify the Mark Twain "Remedy Plan," so that the new magnet grant application can specify PS/IS 288 as a proposed federally-funded magnet school. Ordered by Judge Jack B. Weinstein, on 4/11/2007. (Endorsed on letter dated 4/11/2007 from Richard D'Auria to USDJ Weinstein) (Barrett, C) Modified on 1/2/2008 to indicate that this is doc. # 448. (Barrett, C). (Entered: 04/12/2007)
12/27/2007	<a href="#">449</a>	Letter dated 12/5/2007 from Muriel Kerzer, Representative of Concerned Parents of District 21, to USDJ Weinstein, requesting that Your Honor consider leaving the court order in place, which will allow Mark Twain to continue to be a school for the gifted and talented. (Barrett, C) Modified on 1/2/2008 to indicate that this is doc. # 449. (Barrett, C). (Entered: 12/28/2007)

01/02/2008	<a href="#">450</a>	ORDER: The court has received the <a href="#">449</a> Letter by Muriel Kerzer, representative of Concerned Parents of District 21. The court does not have a record of the referenced motion. The Clerk of Court shall send copies of this order to the parties and Muriel Kerzer. Ordered by Senior Judge Jack B. Weinstein, on 12/28/2007. Copies mailed. (Barrett, C) (Entered: 01/02/2008)
01/14/2008	<a href="#">451</a>	MOTION to Intervene by Anjan Rau, Kanchan Katapadi. (Attachments: # <a href="#">1</a> Exhibit Proposed Complaint In Intervention, # <a href="#">2</a> Memorandum Of Law In Support Of Motion) (Rosman, Michael) (Entered: 01/14/2008)
01/16/2008	<a href="#">452</a>	NOTICE of Appearance by Gail P. Rubin on behalf of Community School Board, District 13 of the Board of Education of the City School District of the City of New York (aty to be noticed) (Rubin, Gail) (Entered: 01/16/2008)
01/28/2008	<a href="#">453</a>	Letter dated 1/21/2008 from Pamela Kelter to USDJ Weinstein, in opposition to removal of the Court order. (Attachments: # <a href="#">1</a> Card made by the Media Talent of Mark Twain) (Barrett, C) (Entered: 01/28/2008)
01/31/2008	<a href="#">454</a>	ORDER Setting Hearing on the <a href="#">451</a> MOTION to Intervene: Motion Hearing set for 3/19/2008 at 10:00 AM before Senior Judge Jack B. Weinstein. A status conference in CV 08-210 will be held immediately following the motion hearing. Ordered by Senior Judge Jack B. Weinstein, on 1/25/2008. Copies mailed by Chambers. (Barrett, C) (Entered: 01/31/2008)
02/04/2008	<a href="#">455</a>	NOTICE of Appearance by James I Meyerson on behalf of Jeffrey Hart (aty to be noticed) (Meyerson, James) (Entered: 02/04/2008)
02/12/2008	<a href="#">456</a>	MOTION to Vacate <i>Cover Letter with Notice of Motion, Rubin Declaration and Exhibits A - C (Part 1)</i> by Community School Board, District 13 of the Board of Education of the City School District of the City of New York. (Attachments: # <a href="#">1</a> Exhibit Part 2 of Exhibit C, # <a href="#">2</a> Exhibit Rubin Exhibits D-O, # <a href="#">3</a> Affidavit Declarations of Berman, Helfman, Moore, Ferguson with Exhibits) (Rubin, Gail) (Entered: 02/12/2008)
02/12/2008	<a href="#">457</a>	MEMORANDUM in Support re <a href="#">456</a> MOTION to Vacate <i>Cover Letter with Notice of Motion, Rubin Declaration and Exhibits A - C (Part 1)</i> MOTION to Vacate <i>Cover Letter with Notice of Motion, Rubin Declaration and Exhibits A - C (Part 1)</i> filed by Community School Board, District 13 of the Board of Education of the City School District of the City of New York. (Rubin, Gail) (Entered: 02/12/2008)

02/12/2008	<a href="#">458</a>	NOTICE by Community School Board, District 13 of the Board of Education of the City School District of the City of New York re <a href="#">457</a> Memorandum in Support, <a href="#">456</a> MOTION to Vacate <i>Cover Letter with Notice of Motion, Rubin Declaration and Exhibits A - C (Part 1)</i> MOTION to Vacate <i>Cover Letter with Notice of Motion, Rubin Declaration and Exhibits A - C (Part 1)</i> Cover Letter to Parents' Association of Mark Twain (Rubin, Gail) (Entered: 02/12/2008)
02/14/2008	<a href="#">459</a>	Letter to NAACP confirming service arrangements by Community School Board, District 13 of the Board of Education of the City School District of the City of New York (Rubin, Gail) (Entered: 02/14/2008)
02/15/2008	<a href="#">460</a>	ORDER: The Motion Hearing on the <a href="#">451</a> MOTION to Intervene is advanced to 2/22/2008 at 11:30 a.m. Representatives of the Concerned Parents of District 21 are invited to participate at the hearing. Defendant is directed to notify them by some reasonable means. Also invited are interested members of the community who might be affected. A status conference will be held simultaneously with the argument on the motions. Ordered by Senior Judge Jack B. Weinstein, on 2/15/2008. (Barrett, C) (Entered: 02/15/2008)
02/15/2008	<a href="#">461</a>	MOTION for Leave to Appear Pro Hac Vice by Anjan Rau, Kanchan Katapadi. (Rosman, Michael) (Entered: 02/15/2008)
02/19/2008	<a href="#">462</a>	RESPONSE to Motion re <a href="#">451</a> MOTION to Intervene, <a href="#">456</a> MOTION to Vacate <i>Cover Letter with Notice of Motion, Rubin Declaration and Exhibits A - C (Part 1)</i> MOTION to Vacate <i>Cover Letter with Notice of Motion, Rubin Declaration and Exhibits A - C (Part 1)</i> filed by Jeffrey Hart. (Meyerson, James) (Entered: 02/19/2008)
02/21/2008	<a href="#">463</a>	REPLY in Support re <a href="#">462</a> Response to Motion, <i>In Support of Defendants Motion to Terminate the Order and Dismiss the Case</i> filed by Community School Board, District 13 of the Board of Education of the City School District of the City of New York. (Rubin, Gail) (Entered: 02/21/2008)
02/21/2008	<a href="#">464</a>	REPLY in Opposition filed by Jeffrey Hart. (Meyerson, James) (Entered: 02/21/2008)
02/22/2008	<a href="#">467</a>	Minute Entry for proceedings held before Senior Judge Jack B. Weinstein: Motion Hearing held on 2/22/2008 re <a href="#">451</a> MOTION to Intervene filed by Anjan Rau, Kanchan Katapadi. Counsel for all sides present. Motion argued. Decision reserved. (Barrett, C) (Entered: 02/28/2008)

02/26/2008	<a href="#">465</a>	ORDER: The United States Attorney and the Attorney General of the State of New York may participate at the 2/22/2008 hearing. Ordered by Senior Judge Jack B. Weinstein, on 2/15/2008. (Barrett, C) (Entered: 02/26/2008)
02/26/2008		Copy of Document <a href="#">465</a> Faxed by Chambers. (Barrett, C) (Entered: 02/26/2008)
02/27/2008	<a href="#">466</a>	MEMORANDUM AND ORDER: The defendants have complied with the 1974 remedial order. Mark Twain has been desegregated. The court has no jurisdiction. The case is closed. Ordered by Senior Judge Jack B. Weinstein, on 2/25/2008. (Barrett, C) (Entered: 02/27/2008)
02/28/2008	<a href="#">468</a>	Letter dated 2/20/2008 from Betty Golembeski to USDJ Weinstein, in support of Mark Twain's admission guidelines. (Barrett, C) (Entered: 02/28/2008)
02/28/2008	<a href="#">469</a>	Letter dated 2/21/2008 from Nancy Yabroudi to USDJ Weinstein, requesting that Your Honor be very careful before changing Mark Twain's formula or denying it funding. (Barrett, C) (Entered: 02/28/2008)
02/28/2008	<a href="#">470</a>	Letter dated 2/21/2008 from Venka Fasulo to USDJ Weinstein, imploring Your Honor not to lift the court order until a plain is laid to keep this wonderful magnet program in Mark Twain alive. (Barrett, C) (Entered: 02/28/2008)
02/28/2008	<a href="#">471</a>	Letter dated 2/19/2008 from Bonnie Kerzer to USDJ Weinstein, in supporting of lifting the 1974 remedial order. (Barrett, C) (Entered: 02/28/2008)
02/28/2008	<a href="#">472</a>	Letter dated 2/21/2008 from James I. Meyerson to USDJ Weinstein, submitted as a sur-reply in support of defendants. (Barrett, C) (Entered: 02/28/2008)
02/28/2008	<a href="#">473</a>	Letter dated 2/20/2008 from Bonnie Kerzer to USJD Weinstein, voicing further concerns over the possible termination of the "Hart" remedial court order imposed by the federal courts in 1974. (Barrett, C) (Entered: 02/28/2008)
02/28/2008	<a href="#">474</a>	Letter from anonymous postmarked 2/2/2008, regarding the DOE's selection process used to admit students. (Barrett, C) (Entered: 02/28/2008)
02/28/2008	<a href="#">475</a>	AMENDED MEMORANDUM & ORDER: The defendants have complied with the 1974 remedial order. Mark Twain has been desegregated. The Court has no jurisdiction. The case is closed. Ordered by Senior Judge Jack B. Weinstein, on

		2/27/2008. (Related Document <a href="#">466</a> Memorandum and Order) (Barrett, C) (Entered: 02/28/2008)
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