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**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:15-cv-03783-VEC**

Butler et al v. City of New York et al  
Assigned to: Judge Valerie E. Caproni  
Related Case: [1:18-cv-07596-ER](#)  
Cause: 42:12101 The Americans with Disabilities Act  
of 1990

Date Filed: 05/15/2015  
Date Terminated: 11/07/2017  
Jury Demand: Plaintiff  
Nature of Suit: 445 Civil Rights:  
Americans with Disabilities -  
Employment  
Jurisdiction: Federal Question

**Plaintiff**

**Sandra Butler**

*for themselves and on behalf of all  
others similarly situated*

represented by **Adriene L. Holder**

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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Ricky Gibson**

*for themselves and on behalf of all  
others similarly situated*

represented by **Adriene L. Holder**  
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**Jacob D. Alderdice**  
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**Plaintiff**

**O'Brien Morris**  
*for themselves and on behalf of all*  
*others similarly situated*

represented by **Dawn Louise Smalls**  
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**Joshua Evan Goldfein**

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**Plaintiff**

**Richard Emmett**

*for themselves and on behalf of all  
others similarly situated*

represented by **Dawn Louise Smalls**

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**Plaintiff**

**Roselle Diaz**  
*for themselves and on behalf of all  
others similarly situated*

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**Paul B Carberry**  
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**Plaintiff**

**Kevin Faison**  
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others similarly situated*

represented by **Dawn Louise Smalls**  
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**Plaintiff**

**Shaniqua Jackson**  
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others similarly situated*

represented by **Dawn Louise Smalls**  
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**Paul B Carberry**  
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**Plaintiff**

**Center for Independence of the  
Disabled**  
*for themselves and on behalf of all  
others similarly situated*

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**Paul B Carberry**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**New York and Coalition for the  
Homeless**  
*for themselves and on behalf of all  
others similarly situated*

represented by **Dawn Louise Smalls**  
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*LEAD ATTORNEY*  
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**Joshua Evan Goldfein**  
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V.

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**City of New York**

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**Defendant**

**Gilbert Taylor**  
*as Commissioner of the New York*

represented by **James Monroe Dervin**  
(See above for address)

City Department of Homeless  
Services  
*TERMINATED: 08/02/2016*

*TERMINATED: 08/17/2021*  
*LEAD ATTORNEY*

**Defendant**

**Steven Banks**  
*as Commissioner of the New York  
City Department of Social Services*

represented by **James Monroe Dervin**  
(See above for address)  
*TERMINATED: 08/17/2021*  
*LEAD ATTORNEY*

**Thomas B. Roberts**  
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*TERMINATED: 08/17/2021*  
*LEAD ATTORNEY*

**Carolyn Elizabeth Kruk**  
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**Sharon Vicky Sprayregen**  
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**Defendant**

**The New York City Department  
of Homeless Services**

represented by **Thomas B. Roberts**  
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*TERMINATED: 08/17/2021*  
*LEAD ATTORNEY*

**Carolyn Elizabeth Kruk**  
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Date Filed	#	Docket Text
05/15/2015	<a href="#"><u>1</u></a>	COMPLAINT against City of New York, Gilbert Taylor. Document filed by Ricky Gibson, Sandra Butler.(moh) (rz). (Entered: 05/19/2015)

05/15/2015	<a href="#"><u>2</u></a>	ORDER GRANTING IFP APPLICATION: Leave to proceed in this Court without prepayment of fees is authorized. 28 U.S.C. § 1915. (Signed by Judge Deborah A. Batts on 5/14/2015) (moh) (moh). (Entered: 05/19/2015)
05/15/2015		SUMMONS ISSUED as to City of New York, Gilbert Taylor. (moh) (Entered: 05/19/2015)
05/15/2015		Magistrate Judge James L. Cott is so designated. (moh) (Entered: 05/19/2015)
05/15/2015		Case Designated ECF. (moh) (Entered: 05/19/2015)
05/15/2015	<a href="#"><u>3</u></a>	CIVIL COVER SHEET filed. (moh) (rz). (Entered: 05/19/2015)
06/10/2015	<a href="#"><u>4</u></a>	LETTER MOTION for Extension of Time <i>to Respond to the Complaint</i> addressed to Judge Robert W. Sweet from James M. Dervin dated June 10, 2015. Document filed by City of New York, Gilbert Taylor.(Dervin, James) (Entered: 06/10/2015)
06/17/2015	<a href="#"><u>5</u></a>	ORDER granting <a href="#"><u>4</u></a> Letter Motion for Extension of Time. So ordered. (Signed by Judge Robert W. Sweet on 6/16/2015) (ajs) (Entered: 06/17/2015)
06/17/2015		Set/Reset Deadlines: City of New York answer due 7/27/2015; Gilbert Taylor answer due 7/27/2015. (ajs) (Entered: 06/17/2015)
07/24/2015	<a href="#"><u>6</u></a>	SECOND LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from James M. Dervin dated July 24, 2015. Document filed by City of New York, Gilbert Taylor.(Dervin, James) (Entered: 07/24/2015)
07/30/2015	<a href="#"><u>7</u></a>	ORDER granting <a href="#"><u>6</u></a> Letter Motion for Extension of Time. So ordered. (Signed by Judge Robert W. Sweet on 7/29/2015) (ajs) (Entered: 07/30/2015)
07/30/2015		Set/Reset Deadlines: City of New York answer due 9/25/2015; Gilbert Taylor answer due 9/25/2015. (ajs) (Entered: 07/30/2015)
08/07/2015	<a href="#"><u>8</u></a>	PRETRIAL ORDER: Pretrial Conference set for 10/14/2015 at 04:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet. (See Order.) (Signed by Judge Robert W. Sweet on 8/7/2015) (ajs) (Entered: 08/07/2015)
09/24/2015	<a href="#"><u>9</u></a>	THIRD LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from James M. Dervin dated September 24, 2015. Document filed by City of New York, Gilbert Taylor.(Dervin, James) (Entered: 09/24/2015)

09/25/2015	<a href="#"><u>10</u></a>	ORDER granting <a href="#"><u>9</u></a> Letter Motion for Extension of Time. So ordered. (Signed by Judge Robert W. Sweet on 9/25/2015) (spo) (Entered: 09/25/2015)
09/25/2015		Set/Reset Deadlines: City of New York answer due 11/9/2015. Gilbert Taylor answer due 11/9/2015. (spo) (Entered: 09/25/2015)
09/25/2015	<a href="#"><u>11</u></a>	ORDER: Please be advised that the conference scheduled for 10/14/2015 has been rescheduled to 12/2/2015 at 4pm in Courtroom 18C Please notify opposing counsel of the change. (Pretrial Conference set for 12/2/2015 at 04:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 9/25/2015) (spo) (Entered: 09/25/2015)
10/21/2015	<a href="#"><u>12</u></a>	NOTICE OF CHANGE OF ADDRESS by Joshua Evan Goldfein on behalf of All Plaintiffs. New Address: The Legal Aid Society, 199 Water St, 3d Floor, New York, New York, 10038, 2125773414. (Goldfein, Joshua) (Entered: 10/21/2015)
11/05/2015	<a href="#"><u>13</u></a>	FOURTH LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from James M. Dervin dated November 5, 2015. Document filed by City of New York, Gilbert Taylor.(Dervin, James) (Entered: 11/05/2015)
11/09/2015	<a href="#"><u>14</u></a>	ORDER granting <a href="#"><u>13</u></a> Letter Motion for Extension of Time. So ordered. (Signed by Judge Robert W. Sweet on 11/5/2015) (mro) (Entered: 11/09/2015)
11/09/2015		Set/Reset Deadlines: City of New York answer due 12/24/2015; Gilbert Taylor answer due 12/24/2015. (mro) (Entered: 11/09/2015)
11/09/2015	<a href="#"><u>15</u></a>	ORDER: Please be advised that the conference scheduled for 12-2-15 has been rescheduled to 1-20-16 at 4:00 pm in Courtroom 18C. Please notify opposing counsel of the change. ( Pretrial Conference set for 1/20/2016 at 04:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 11/9/2015) (mro) (Entered: 11/09/2015)
01/20/2016		Minute Entry for proceedings held before Judge Robert W. Sweet: Initial Pretrial Conference held on 1/20/2016. Next pretrial conference is scheduled for April 20, 2016 at 4:00 p.m. (Chan, Tsz) (Entered: 01/20/2016)

01/20/2016	<a href="#"><u>16</u></a>	ANSWER to <a href="#"><u>1</u></a> Complaint. Document filed by City of New York, Gilbert Taylor.(Dervin, James) (Entered: 01/20/2016)
01/21/2016	<a href="#"><u>17</u></a>	ORDER OF AUTOMATIC REFERRAL TO MEDIATION (See M-10-468 Second Amended Standing Order). Please reference the Pilot Discovery Protocols, attached, and the Mediation Program Procedures ( <a href="http://nysd.uscourts.gov/mediation">http://nysd.uscourts.gov/mediation</a> ). E-mail MediationOffice@nysd.uscourts.gov, telephone 212-805-0643. Mediator to be Assigned by 2/1/2016. (Signed by Judge Loretta A. Preska on 10/1/2015) (rpr) (Entered: 01/21/2016)
02/08/2016		NOTICE OF MEDIATOR ASSIGNMENT - Notice of assignment of mediator. Mediator Schedule due by 3/9/2016.(cda) (Entered: 02/08/2016)
03/08/2016	<a href="#"><u>18</u></a>	JOINT LETTER addressed to Judge Robert W. Sweet from James M. Dervin dated March 8, 2016 re: Removal from Mediation Program Referral. Document filed by City of New York, Gilbert Taylor.(Dervin, James) (Entered: 03/08/2016)
03/14/2016	<a href="#"><u>19</u></a>	MEMO ENDORSEMENT on re: <a href="#"><u>18</u></a> Letter re: Removal from mediation, filed by Gilbert Taylor, City of New York. ENDORSEMENT: So ordered. (Signed by Judge Robert W. Sweet on 3/14/2016) (spo) (Entered: 03/15/2016)
04/19/2016	<a href="#"><u>21</u></a>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Robert W. Sweet from James M. Dervin dated April 19, 2016. Document filed by City of New York, Gilbert Taylor.(Dervin, James) (Entered: 04/19/2016)
04/19/2016	<a href="#"><u>22</u></a>	ORDER granting <a href="#"><u>21</u></a> Letter Motion to Adjourn Conference. So ordered. (Signed by Judge Robert W. Sweet on 4/19/2016) (mro) (Entered: 04/20/2016)
04/19/2016	<a href="#"><u>23</u></a>	ORDER: Please be advised that the conference scheduled for 4/20/16 has been rescheduled to 5/4/16 at 4 pm in Courtroom 18C. Please notify opposing counsel of the change. ( Pretrial Conference set for 5/4/2016 at 04:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 4/19/2016) (mro) (Entered: 04/20/2016)
05/04/2016		Minute Entry for proceedings held before Judge Robert W. Sweet: Initial Pretrial Conference held on 5/4/2016. (Chan, Tsz) (Entered: 05/04/2016)

05/31/2016	<a href="#"><u>24</u></a>	PRETRIAL ORDER: Pretrial Conference set for 11/9/2016 at 04:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet. (As further set forth in this Order.) (Signed by Judge Robert W. Sweet on 5/31/2016) (kko) (Entered: 05/31/2016)
08/01/2016	<a href="#"><u>25</u></a>	NOTICE OF APPEARANCE by Paul B Carberry on behalf of Sandra Butler, Ricky Gibson. (Carberry, Paul) (Entered: 08/01/2016)
08/01/2016	<a href="#"><u>26</u></a>	NOTICE OF APPEARANCE by Evelyn Ann Fanneron on behalf of Sandra Butler, Ricky Gibson. (Fanneron, Evelyn) (Entered: 08/01/2016)
08/02/2016	<a href="#"><u>27</u></a>	CONSENT ORDER: IT IS HEREBY ORDERED THAT: 1. Plaintiffs may file a First Amended Class Action Complaint; 2. Defendants have 45 days to file an Answer to the First Amended Class Action Complaint, calculated from the date the First Amended Class Action Complaint is filed and entered on the ECF docket; and 3. Defendants' defenses-procedural, substantive, or otherwise--to any claims or allegations Plaintiffs assert are not waived, nor are Defendants deemed to admit to the truth or accuracy of the allegations in the First Amended Class Action Complaint. 4. The caption for this case shall be modified to include all Named Plaintiffs and Defendants, and shall replace Gilbert Taylor with Steven Banks, the new Commissioner of the New York City Department of Social Services. The caption will appear as follows: O'Brien Morris, Richard Emmett, Roselle Diaz, Kevin Faison, Shaniqua Jackson, Center for Independence of the Disabled and New York and Coalition for the Homeless added. Gilbert Taylor (as Commissioner of the New York City Department of Homeless Services) terminated. (Signed by Judge Robert W. Sweet on 8/2/2016) (kl) (Entered: 08/02/2016)
08/03/2016	<a href="#"><u>28</u></a>	AMENDED COMPLAINT amending <a href="#"><u>1</u></a> Complaint against Steven Banks, City of New York, The New York City Department of Homeless Services with JURY DEMAND.Document filed by New York and Coalition for the Homeless, Kevin Faison, Roselle Diaz, Ricky Gibson, Shaniqua Jackson, Sandra Butler, Richard Emmett, O'Brien Morris, Center for Independence of the Disabled.  Related document: <a href="#"><u>1</u></a> Complaint filed by Sandra Butler, Ricky Gibson.(Carberry, Paul) (Entered: 08/03/2016)
09/19/2016	<a href="#"><u>29</u></a>	FIRST LETTER MOTION for Extension of Time to File Answer <i>or otherwise respond to Amended Class Action Complaint</i>

		( <i>dk. no. 28</i> ) addressed to Judge Robert W. Sweet from James M. Dervin dated September 19, 2016. Document filed by Steven Banks, City of New York.(Dervin, James) (Entered: 09/19/2016)
09/20/2016	<a href="#"><u>30</u></a>	ORDER granting <a href="#"><u>29</u></a> Letter Motion for Extension of Time to Answer: So ordered. Steven Banks answer due 10/3/2016; City of New York answer due 10/3/2016. (Signed by Judge Robert W. Sweet on 9/20/2016) (tn) (Entered: 09/20/2016)
09/30/2016	<a href="#"><u>31</u></a>	AMENDED: Please be advised that the conference scheduled for 11/9/16 has been rescheduled to 11/15/16 at 12pm in Courtroom 18C. Please notify opposing counsel of the change. SO ORDERED. Pretrial Conference set for 11/15/2016 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet. (Signed by Judge Robert W. Sweet on 9/30/2016) (kko) (Entered: 09/30/2016)
10/03/2016	<a href="#"><u>32</u></a>	SECOND LETTER MOTION for Extension of Time to File Answer <i>or otherwise respond to the Amended Class Action Complaint (dk. no. 28)</i> addressed to Judge Robert W. Sweet from James M. Dervin dated October 3, 2016. Document filed by Steven Banks, City of New York.(Dervin, James) (Entered: 10/03/2016)
10/03/2016	<a href="#"><u>33</u></a>	NOTICE OF APPEARANCE by Thomas B. Roberts on behalf of Steven Banks, City of New York, The New York City Department of Homeless Services. (Roberts, Thomas) (Entered: 10/03/2016)
10/04/2016	<a href="#"><u>34</u></a>	ORDER granting <a href="#"><u>32</u></a> SECOND LETTER MOTION for Extension of Time to File Answer or otherwise respond to the Amended Class Action Complaint (dk. no. 28) addressed to Judge Robert W. Sweet from James M. Dervin dated October 3, 2016. Document filed by Steven Banks, City of New York. So ordered. Steven Banks answer due 11/2/2016; City of New York answer due 11/2/2016. (Signed by Judge Robert W. Sweet on 10/4/2016) (rjm) (Entered: 10/04/2016)
10/11/2016	<a href="#"><u>35</u></a>	ORDER. The motion for class certification filed September 22, 2016 shall be heard at noon on Thursday, October 20, 2016 in Courtroom 18C, United States Courthouse, 500 Pearl Street. All papers shall be served in accordance with Local Civil Rule 6.1. It is so ordered. (Oral Argument set for 10/20/2016 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 10/6/2016) (rjm) (Entered: 10/11/2016)



10/11/2016	<a href="#"><u>36</u></a>	CONSENT MOTION to Certify Class . Document filed by Sandra Butler. Return Date set for 10/20/2016 at 12:00 PM. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order Stipulation on Class Certification)(Stephens, Kenneth) (Entered: 10/11/2016)
10/20/2016	<a href="#"><u>37</u></a>	STIPULATION AND ORDER OF CLASS CERTIFICATION. IT IS HEREBY STIPULATED AND AGREED, BY AND BETWEEN THE UNDERSIGNED, THAT THIS ACTION SHOULD BE CERTIFIED AS A CLASS ACTION PURSUANT TO RULE 23 OF THE FEDERAL RULES OF CIVIL PROCEDURE, and as further specified and set forth in this Stipulation and Order of Class Certification. Motions terminated: <a href="#"><u>36</u></a> CONSENT MOTION to Certify Class filed by Sandra Butler. Class Action Certified. (Signed by Judge Robert W. Sweet on 10/20/2016) (rjm) (Entered: 10/20/2016)
10/20/2016		Minute Entry for proceedings held before Judge Robert W. Sweet: Oral Argument held on 10/20/2016 re: <a href="#"><u>36</u></a> CONSENT MOTION to Certify Class filed by Sandra Butler. The Court signed Stipulation and Order of Class Certification. (Chan, Tsz) (Entered: 10/20/2016)
10/31/2016	<a href="#"><u>38</u></a>	THIRD LETTER MOTION for Extension of Time to File <i>Answer or otherwise respond to the amended class action complaint &amp; for an adjournment of the 11/15/16 pre-trial conference</i> addressed to Judge Robert W. Sweet from James M. Dervin dated October 31, 2016. Document filed by Steven Banks, City of New York.(Dervin, James) (Entered: 10/31/2016)
11/03/2016	<a href="#"><u>39</u></a>	ORDER granting <a href="#"><u>38</u></a> THIRD LETTER MOTION for Extension of Time to File Answer or otherwise respond to the amended class action complaint & for an adjournment of the 11/15/16 pre-trial conference addressed to Judge Robert W. Sweet from James M. Dervin dated October 31, 2016. Document filed by Steven Banks, City of New York. So ordered. The following hearing(s) was terminated: Pretrial Conference. Steven Banks answer due 12/2/2016; City of New York answer due 12/2/2016. (Signed by Judge Robert W. Sweet on 11/2/2016) (rjm) (Entered: 11/03/2016)
11/29/2016	<a href="#"><u>40</u></a>	FOURTH LETTER MOTION for Extension of Time to File <i>Answer or otherwise respond to the amended class action complaint</i> addressed to Judge Robert W. Sweet from James M. Dervin dated November 29, 2016. Document filed by Steven Banks, City of New York.(Dervin, James) (Entered: 11/29/2016)
11/30/2016	<a href="#"><u>41</u></a>	ORDER granting <a href="#"><u>40</u></a> FOURTH LETTER MOTION for Extension of Time to File Answer or otherwise respond to the amended class



		action complaint addressed to Judge Robert W. Sweet from James M. Dervin dated November 29, 2016. Document filed by Steven Banks, City of New York. So ordered. Steven Banks answer due 1/2/2017; City of New York answer due 1/2/2017. (Signed by Judge Robert W. Sweet on 11/30/2016) (rjm) (Entered: 11/30/2016)
12/30/2016	<a href="#">42</a>	FIFTH LETTER MOTION for Extension of Time to File Answer <i>or otherwise respond to the amended class action complaint</i> addressed to Judge Robert W. Sweet from James M. Dervin dated December 30, 2016. Document filed by Steven Banks, City of New York.(Dervin, James) (Entered: 12/30/2016)
01/05/2017	<a href="#">43</a>	ORDER granting <a href="#">42</a> FIFTH LETTER MOTION for Extension of Time to File Answer or otherwise respond to the amended class action complaint addressed to Judge Robert W. Sweet from James M. Dervin dated December 30, 2016. Document filed by Steven Banks, City of New York. So ordered. Steven Banks answer due 2/1/2017; City of New York answer due 2/1/2017. (Signed by Judge Robert W. Sweet on 1/4/2017) (rjm) (Entered: 01/05/2017)
01/30/2017	<a href="#">44</a>	SIXTH LETTER MOTION for Extension of Time <i>to File Answer or otherwise respond to the amended class action complaint</i> addressed to Judge Robert W. Sweet from James M. Dervin dated January 30, 2017. Document filed by Steven Banks, City of New York, Gilbert Taylor.(Dervin, James) (Entered: 01/30/2017)
01/31/2017	<a href="#">45</a>	ORDER granting <a href="#">44</a> Letter Motion for Extension of Time. So Ordered. (Signed by Judge Robert W. Sweet on 1/31/2017) (jwh) (Entered: 01/31/2017)
01/31/2017		Set/Reset Deadlines: Steven Banks answer due 3/3/2017; City of New York answer due 3/3/2017. (jwh) (Entered: 01/31/2017)
03/06/2017	<a href="#">46</a>	SEVENTH LETTER MOTION for Extension of Time <i>to File Answer or otherwise respond to the amended class action complaint</i> addressed to Judge Robert W. Sweet from James M. Dervin dated March 6, 2017. Document filed by Steven Banks, City of New York, Gilbert Taylor.(Dervin, James) (Entered: 03/06/2017)
03/07/2017	<a href="#">47</a>	ORDER granting <a href="#">46</a> Letter Motion for Extension of Time Respond to the Amended Class Action Complaint: So ordered. (Signed by Judge Robert W. Sweet on 3/7/2017) (jwh) (Entered: 03/07/2017)

03/07/2017		Set/Reset Deadlines: Steven Banks answer due 4/17/2017; City of New York answer due 4/17/2017; The New York City Department of Homeless Services answer due 4/17/2017. (jwh) (Entered: 03/07/2017)
03/30/2017	<a href="#">48</a>	NOTICE OF CHANGE OF ADDRESS by Paul B Carberry on behalf of Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. New Address: White & Case LLP, 1221 Avenue of the Americas, New York, NY, 10020, (212) 819-8200. (Carberry, Paul) (Entered: 03/30/2017)
04/14/2017	<a href="#">49</a>	EIGHTH LETTER MOTION for Extension of Time to File <i>Answer or otherwise respond to the amended class action complaint</i> addressed to Judge Robert W. Sweet from James M. Dervin dated April 14, 2017. Document filed by Steven Banks, City of New York.(Dervin, James) (Entered: 04/14/2017)
04/18/2017	<a href="#">50</a>	ORDER granting <a href="#">49</a> Letter Motion for Extension of Time to Answer: So ordered. (Steven Banks answer due 5/1/2017; City of New York answer due 5/1/2017; The New York City Department of Homeless Services answer due 5/1/2017) (Signed by Judge Robert W. Sweet on 4/17/2017) (jwh) (Entered: 04/18/2017)
05/01/2017	<a href="#">51</a>	NINTH LETTER MOTION for Extension of Time to File <i>Answer or otherwise respond to the amended class action complaint</i> addressed to Judge Robert W. Sweet from James M. Dervin dated May 1, 2017. Document filed by Steven Banks, City of New York.(Dervin, James) (Entered: 05/01/2017)
05/02/2017	<a href="#">52</a>	ORDER: granting <a href="#">51</a> Letter Motion for Extension of Time to Answer. So ordered. Steven Banks answer due 5/15/2017; City of New York answer due 5/15/2017; The New York City Department of Homeless Services answer due 5/15/2017. (Signed by Judge Robert W. Sweet on 5/2/2017) (ap) (Entered: 05/02/2017)
05/15/2017	<a href="#">53</a>	JOINT LETTER addressed to Judge Robert W. Sweet from James M. Dervin dated May 15, 2017 re: Proposed Stipulation of Settlement. Document filed by Steven Banks, City of New York.(Dervin, James) (Entered: 05/15/2017)
06/28/2017	<a href="#">54</a>	PRETRIAL ORDER, Counsel are directed to appear in courtroom 18C on Oct. 3, 2017 at 12 pm for a pretrial conference for the purpose of resolving any outstanding discovery or other issues, and setting a time for trial. Plaintiff(s)' counsel ARE REQUIRED TO NOTIFY COUNSEL FOR ALL PARTIES OF THIS

		<p>CONFERENCE. Prior to the appearance at the pretrial conference, all counsel appearing in the action shall have discussed any open issues. It is so ordered. (Pretrial Conference set for 10/3/2017 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 6/28/17) (yv) (Entered: 06/28/2017)</p>
07/07/2017	<a href="#">56</a>	<p>ORDER PURSUANT RO FED. R. CIV. PRO 23(e): The Court hereby grants preliminary approval of the terms and conditions contained in the Settlement Agreement. The Court preliminarily finds that the terms of the Settlement Agreement appear to be within the range of possible approval, pursuant to Fed. R. Civ. P. 23(e) and applicable law. A Fairness Hearing pursuant to Fed. R. Civ. P. 23(e) shall be held before the undersigned on September 7, 2017, for purposes of determining whether the proposed Settlement is fair, reasonable, and adequate, and should be approved by the Court. The Fairness Hearing shall take place before the Honorable Robert W. Sweet, United States District Court, Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, and will begin at 01:00 p.m. The Fairness Hearing may be adjourned or continued from time to time without further notice. The Court hereby approves the Class Notice. Any member of the certified class may appear at the aforesaid Fairness Hearing on September 7, 2017 at 1:00 p.m., in person or by counsel, and object to the Settlement Agreement or give reasons why the proposed Settlement Agreement should not be approved as fair, reasonable, and adequate. Any member of the certified class may also object to or comment on the Settlement Agreement by submitting objections in writing. Objections or comments must be post-marked by September 2, 2017 (insert 5 days before the hearing), to the Court at the address listed above, and a copy simultaneously served to the following: The Legal Aid Society Attn: Joshua Goldfein 199 Water Street New York, New York 10038 Attorneys for the certified class Any class member who fails to properly and timely file and serve objections or comments shall be foreclosed from objecting to the Settlement Agreement, unless otherwise ordered by the Court. The Court further orders that, pending further order from the Court, all proceedings in this Action, except those contemplated herein and in the Settlement Agreement shall be stayed, and as further set forth in this order. (Fairness Hearing set for 9/7/2017 at 1:00 PM before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 7/7/2017) (ap) Modified on 7/10/2017 (rj). Modified on 7/11/2017 (jwh). (Entered: 07/10/2017)</p>

07/10/2017	<a href="#"><u>57</u></a>	ORDER re: 55 Order Striking Case, Set Hearings. The stipulation of settlement was inadvertently signed and entered on July 7, 2017, and is hereby vacated. The Clerk of the Court is directed to strike docket number 55 and the attached PDF. (Signed by Judge Robert W. Sweet on 7/10/2017) (rj) Modified on 7/11/2017 (jwh). Modified on 7/20/2017 (rj). (Entered: 07/10/2017)
07/10/2017		<b>***STRICKEN DOCUMENT. Deleted document number 55 from the case record. The document was stricken from this case pursuant to <a href="#"><u>57</u></a> Order., (rj)</b> (Entered: 07/10/2017)
07/14/2017	<a href="#"><u>58</u></a>	NOTICE of of Proposed Class Action Settlement Under 28 U.S.C. 1715. Document filed by Steven Banks, City of New York. (Attachments: # <a href="#"><u>1</u></a> Exhibit Exh. A - Complaint, # <a href="#"><u>2</u></a> Exhibit Exh. B - Amended Class Action Complaint, # <a href="#"><u>3</u></a> Exhibit Exh. C - Proposed Order, # <a href="#"><u>4</u></a> Exhibit Exh. D - Proposed Class Notice, # <a href="#"><u>5</u></a> Exhibit Exh. E - Proposed Stipulation of Settlement)(Dervin, James) (Entered: 07/14/2017)
07/14/2017	<a href="#"><u>59</u></a>	NOTICE of Supplement to Notice of Proposed Class Action Settlement. Document filed by Steven Banks, City of New York. (Attachments: # <a href="#"><u>1</u></a> Exhibit Exh. F - Order on Fairness Hearing and Class Notice)(Dervin, James) (Entered: 07/14/2017)
07/14/2017	<a href="#"><u>60</u></a>	CERTIFICATE OF SERVICE of Notice of Proposed Class Action Settlement and Supplemental Notice of Proposed Class Action Settlement served on U.S. Attorney General, and the Attorneys General for the States and Territories of the United States on 07/10/17. Service was made by MAIL. Document filed by Steven Banks, City of New York. (Dervin, James) (Entered: 07/14/2017)
09/06/2017	<a href="#"><u>61</u></a>	CONSENT MOTION for Settlement . Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order, # <a href="#"><u>2</u></a> Attorney Declaration in support of Motion)(Hofmeister, Beth) (Entered: 09/06/2017)
09/07/2017		Minute Entry for proceedings held before Judge Robert W. Sweet: Fairness Hearing held on 9/7/2017. (Court Reporter Karen Gorlaski) (Chan, Tsz) (Entered: 09/07/2017)
09/07/2017	<a href="#"><u>62</u></a>	ORDER: A fairness hearing was held on September 7, 2017 regarding the partial settlement in the above-referenced matter. As set forth on the record, the Court contingently found the settlement to be fair, reasonable and adequate. In accordance with the

		<p>requirement in the Class Action Fairness Act of 2005, the Court's approval is not effective until October 16, 2017, assuming no Objections are received. If no objections are received by that date, the Court will post the Order on ECF and the settlement will become fully effective. If objections are received, the parties should immediately notify the Court. (Signed by Judge Robert W. Sweet on 9/7/2017) (ap) Modified on 9/20/2017 (ap). (Entered: 09/07/2017)</p>
10/04/2017	<a href="#">63</a>	<p>TRANSCRIPT of Proceedings re: CONFERENCE held on 9/7/2017 before Judge Robert W. Sweet. Court Reporter/Transcriber: Karen Gorlaski, (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 10/25/2017. Redacted Transcript Deadline set for 11/6/2017. Release of Transcript Restriction set for 1/2/2018.(McGuirk, Kelly) (Entered: 10/04/2017)</p>
10/04/2017	<a href="#">64</a>	<p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/7/17 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: 10/04/2017)</p>
11/03/2017	<a href="#">65</a>	<p>CONSENT MOTION for Judgment <i>approving class action settlement re: dkt. no. 62</i>. Document filed by Steven Banks, City of New York. (Attachments: # <a href="#">1</a> Exhibit Stipulation of Settlement)(Dervin, James) (Entered: 11/03/2017)</p>
11/07/2017	<a href="#">66</a>	<p>JUDGMENT APPROVING CLASS ACTION SETTLEMENT. IT IS HEREBY ORDERED THAT:1. The Court has jurisdiction over the subject matter of this Action and personal jurisdiction over Plaintiffs and Defendants. 2. The Stipulation of Settlement is procedurally fair, resulting from arm's-length negotiations by the parties for a period of nine months. 3. The Stipulation of Settlement is substantively fair and meets the criteria set forth by the Second Circuit in <i>City of Detroit v. Grinnell Corp.</i>, 495 F.2d 448 (2d Cir. 1974), because: (a) the Stipulation of Settlement grants relief to all members of the Class without subjecting them to the risks, complexity, duration, and expense of continuing litigation; (b) the reaction of the Class to the Stipulation of</p>

	<p>Settlement has been overwhelmingly favorable as there have been no meritorious objections to weigh against approval; (c) the state of the proceedings, the amount of discovery completed, and negotiations to date have enabled the parties to evaluate the nature and scope of the potential relief to the Class Members; (d) the risks associated with establishing liability and entitlement to relief, and maintaining the Action through trial weigh in favor of the Stipulation of Settlement; and (e) the Stipulation of Settlement is within the reasonable range of recovery given the best possible outcome, along with the risks associated with litigation, and it provides substantial benefits to members of the Class. Were this action to proceed to trial, the Class would be required to wait longer for relief, and any such relief would not be guaranteed. 4. Notice was given substantially in accordance with the Settlement and the Court's Order Approving Notice in Class Action, entered on July 7, 2017. In addition, in compliance with the Class Action Fairness Act, 28 U.S.C. § 1715, Defendants provided notice of the proposed Settlement to all federal, state, and territorial Attorneys General on or about July 10, 2017. See Dkt. Nos. 58 &amp; 59. Such notice provided the best notice practicable under the circumstances. Said notice provided due and adequate notice of these proceedings and the matters set forth herein, including the Stipulation of Settlement, to all persons entitled to such notice, and said notice fully satisfied the requirements of Federal Rule of Civil Procedure 23, the Class Action Fairness Act, the Constitution of the United States, and any other applicable law. A full opportunity has been offered to the members of the Class and to federal, state, and territorial Attorneys General to object to the proposed Stipulation of Settlement and to participate in the hearing thereon, and it is hereby determined that all Class Members are bound by this judgment. 5. The Stipulation of Settlement is approved as fair, reasonable, and adequate, and in the best interests of the members of the Class. The Parties to the Stipulation of Settlement are directed to consummate the Stipulation of Settlement in accordance with its terms and provisions. 6. The Parties have stipulated to negotiate the amount of counsel fees and costs pursuant to paragraph 90 of the Stipulation of Settlement and have also stipulated that, that if the parties fail to reach agreement on an amount within 90 days of the Effective Date of this Order, Plaintiffs may submit an application for counsel fees and costs to the Court. 7. This Court shall retain jurisdiction over this Action to the extent set forth by the provisions of paragraphs 72-80 of the Stipulation of Settlement. 8. The Court hereby grants Plaintiffs' Consent Motion to Approve the Proposed Stipulation and Order of Partial Settlement (Dkt. No. 61) and directs entry of Final Judgment in the Action. 9. There is no just reason for delay in the</p>
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		entry of this Judgment. Immediate entry of Final Judgment by the Clerk of the Court is expressly directed pursuant to Rule 54(b) of the Federal Rules of Civil Procedure. So ordered. (Signed by Judge Robert W. Sweet on 11/6/2017) (rjm) (Additional attachment(s) added on 11/7/2017: # <a href="#">1</a> right to appeal #1, # <a href="#">2</a> right to appeal #2) (rjm). (Entered: 11/07/2017)
11/07/2017		Terminate Transcript Deadlines. (rjm) (Entered: 11/07/2017)
11/13/2017	<a href="#">67</a>	STIPULATION OF SETTLEMENT: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, byand between the Parties, through their attorneys, as set forth in this Order. (Signed by Judge Robert W. Sweet on 11/9/2017) (js) (Entered: 11/13/2017)
11/13/2017	<a href="#">68</a>	ORDER OF APPOINTMENT: Now therefore, it is hereby ordered that: Pursuant to this Court's equitable powers and authority, this court appoints Steven Winter Associates to serve as DHS' consultant pursuant to paragraph 51 of the settlement agreement and appoints Steven Winter Associates to perform as the consultant to the Defendants under the settlement agreement. So Ordered (Signed by Judge Robert W. Sweet on 11/9/2017) (js) (Entered: 11/13/2017)
11/17/2017	<a href="#">69</a>	JOINT MOTION to Amend/Correct <i>the Stipulation of Settlement</i> . Document filed by Steven Banks, City of New York. (Attachments: # <a href="#">1</a> Text of Proposed Order First Amendment to the Stipulation of Settlement)(Roberts, Thomas) (Entered: 11/17/2017)
11/20/2017	<a href="#">70</a>	FIRST AMENDMENT TO THE STIPULATION OF SETTLEMENT: NOW THEREFORE, in reliance on the mutual promises, covenants, and obligations as set out in the Stipulation of Settlement and this First Amendment to the Stipulation of Settlement, and for good and valuable consideration, the Parties, through their representative counsel, stipulate and agree that the Stipulation of Settlement is modified and amended as follows: In the third line of paragraph 51(c), the Stipulation of Settlement erroneously references "paragraphs 50 and 50(b) above". The paragraph should have referenced "paragraphs 50 and 51(b) above"; and as further set forth herein. All other terms of the Stipulation of Settlement are unchanged. So Ordered. (Signed by Judge Robert W. Sweet on 11/20/2017) (anc) (Entered: 11/20/2017)
05/16/2018	<a href="#">71</a>	NOTICE OF APPEARANCE by Carolyn Elizabeth Kruk on behalf of Steven Banks, City of New York, The New York City

		Department of Homeless Services. (Kruk, Carolyn) (Entered: 05/16/2018)
09/27/2018	<a href="#">72</a>	PROPOSED STIPULATION AND ORDER. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services. (Kruk, Carolyn) (Entered: 09/27/2018)
10/01/2018	<a href="#">73</a>	<p>STIPULATION OF SETTLEMENT AND ORDER OF DISMISSAL OF INDIVIDUAL DAMAGE CLAIMS: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, through their attorneys, as follows :</p> <p>The claims of the named Plaintiffs in the above-referenced action are hereby dismissed against Defendants City of New York and Steven Banks as Commissioner of DHS with prejudice, and without costs, expenses, or fees, except as specified below. Subject to the Court's approval, the City of New York hereby agrees to pay named Plaintiffs Sandra Butler, Ricky Gibson, O'Brien Morris, Richard Emmett, Roselle Diaz, Kevin Faison, Shaniqua Jackson, the sum total of ONE HUNDRED AND FORTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$145,000.00) in full satisfaction of all claims, and/or rights of action, whether known or unknown, for compensable damages and/or injuries that were raised or could have been raised by the named Plaintiffs in this class action. The sum total above shall be paid by the City of New York as follows: THIRTY TWO THOUSAND AND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$32,500.00) payable by check to "Sandra Butler," THIRTY TWO THOUSAND AND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$32,500.00) payable by check to "Ricky Gibson," TEN THOUSAND DOLLARS AND ZERO CENTS (\$10,000.00) payable by check to "O'Brien Morris," TEN THOUSAND DOLLARS AND ZERO CENTS (\$10,000.00) payable by check to "Richard Emmett," TWENTY THOUSAND DOLLARS AND ZERO CENTS (\$20,000.00) payable by check to "Roselle Diaz," TWENTY THOUSAND DOLLARS AND ZERO CENTS(\$20,000.00) payable by check to "Kevin Faison," and TWENTY THOUSAND DOLLARS AND ZERO CENTS (\$20,000.00) payable by check to "Shaniqua Jackson." The above payments shall be mailed to Plaintiffs' counsel, the Legal Aid Society, at 199 Water Street, New York, New York 10038 to the attention of Joshua Goldfein, Esq. No payment shall be made to Plaintiff the Center for Independence of the Disabled - New York or to Plaintiff Coalition for the Homeless. All other provisions as further set forth in this order. So Ordered (Signed by Judge Robert W. Sweet on 10/1/2018) (js) (Entered: 10/01/2018)</p>



07/08/2021	<a href="#"><u>74</u></a>	EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement</i> . Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Goldfein, Joshua) <b>(Refer to ECF Rule 13.19(b) and (c) for directions regarding promptly alerting the court to this filing.</b> ) (Entered: 07/08/2021)
07/08/2021	<a href="#"><u>75</u></a>	PROPOSED ORDER TO SHOW CAUSE WITH EMERGENCY RELIEF. Document filed by Sandra Butler, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. Related Document Number: <a href="#"><u>74</u></a> ..(Goldfein, Joshua) <b>Proposed Order to Show Cause to be reviewed by Clerk's Office staff.</b> (Entered: 07/08/2021)
07/08/2021	<a href="#"><u>76</u></a>	MEMORANDUM OF LAW in Support re: <a href="#"><u>74</u></a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement</i> . . Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Goldfein, Joshua) (Entered: 07/08/2021)
07/08/2021	<a href="#"><u>77</u></a>	DECLARATION of Deborah B. Diamant in Support re: <a href="#"><u>74</u></a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement</i> .. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2, # <a href="#"><u>3</u></a> Exhibit 3, # <a href="#"><u>4</u></a> Exhibit 4).(Goldfein, Joshua) (Entered: 07/08/2021)
07/08/2021	<a href="#"><u>78</u></a>	DECLARATION of Helen Strom in Support re: <a href="#"><u>74</u></a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement</i> .. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2, # <a href="#"><u>3</u></a> Exhibit 3, # <a href="#"><u>4</u></a> Exhibit 4).(Goldfein, Joshua) (Entered: 07/08/2021)

07/08/2021	<a href="#"><u>79</u></a>	DECLARATION of Gabriela Torres-Lorenzotti in Support re: <a href="#"><u>74</u></a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement..</i> Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2, # <a href="#"><u>3</u></a> Exhibit 3, # <a href="#"><u>4</u></a> Exhibit 4, # <a href="#"><u>5</u></a> Exhibit 5, # <a href="#"><u>6</u></a> Exhibit 6, # <a href="#"><u>7</u></a> Exhibit 7, # <a href="#"><u>8</u></a> Exhibit 8, # <a href="#"><u>9</u></a> Exhibit 9, # <a href="#"><u>10</u></a> Exhibit 10, # <a href="#"><u>11</u></a> Exhibit 11, # <a href="#"><u>12</u></a> Exhibit 12).(Goldfein, Joshua) (Entered: 07/08/2021)
07/08/2021		NOTICE OF CASE REASSIGNMENT to Judge Valerie E. Caproni. Judge Robert W. Sweet is no longer assigned to the case. (laq) (Entered: 07/08/2021)
07/08/2021		<b>***NOTICE TO COURT REGARDING PROPOSED ORDER TO SHOW CAUSE WITH EMERGENCY RELIEF. Document No. <a href="#"><u>75</u></a> Proposed Order to Show Cause With Emergency Relief, was reviewed and approved as to form. (laq)</b> (Entered: 07/08/2021)
07/08/2021	<a href="#"><u>80</u></a>	NOTICE OF APPEARANCE by Jacob D. Alderdice on behalf of Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Alderdice, Jacob) (Entered: 07/08/2021)
07/08/2021	<a href="#"><u>81</u></a>	NOTICE OF APPEARANCE by Ali Ibrahim Alsarraf on behalf of Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Alsarraf, Ali) (Entered: 07/08/2021)
07/08/2021	<a href="#"><u>82</u></a>	NOTICE OF APPEARANCE by Sharon Vicky Sprayregen on behalf of Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 07/08/2021)
07/09/2021	<a href="#"><u>83</u></a>	NOTICE OF APPEARANCE by Dawn Louise Smalls on behalf of Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Smalls, Dawn) (Entered: 07/09/2021)
07/09/2021	<a href="#"><u>84</u></a>	ORDER: WHEREAS on July 8, 2021, Plaintiffs in this matter filed a motion for a temporary restraining order and a preliminary

		<p>injunction, Dkt. 74; IT IS HEREBY ORDERED that Defendants' response in opposition to the motion is due no later than Monday, July 12, 2021 at 9:00 A.M. and Plaintiffs' reply in support of the motion is due no later than Monday, July 12, 2021 at 7:00 P.M. IT IS FURTHER ORDERED that a hearing on the motion will be held on Tuesday, July 13, 2021 at 3:30 P.M. The hearing will be held before the Honorable Gregory H. Woods, the Judge presiding on Part I duty. The hearing will be held in Courtroom 12C of the Daniel Patrick Moynihan United States Courthouse, located at 500 Pearl Street, New York, New York 10007. IT IS FURTHER ORDERED that per the SDNY COVID-19 COURTHOUSE ENTRY PROGRAM, any person who appears at any SDNY courthouse must complete a questionnaire and have his or her temperature taken. Please see the enclosed instructions. Completing the questionnaire ahead of time will save time and effort upon entry. Only those individuals who meet the entry requirements established by the questionnaire will be permitted entry. Please contact chambers promptly if you or your client do not meet the requirements. IT IS FURTHER ORDERED that any person who appears at any SDNY courthouse must comply with Standing Order M10-468 (21-MC-164), which further pertains to courthouse entry. SO ORDERED., ( Responses due by 7/12/2021, Replies due by 7/12/2021.) (Signed by Judge Valerie E. Caproni on 7/09/2021) (ama) (Entered: 07/09/2021)</p>
07/09/2021		<p>Set/Reset Deadlines as to <a href="#">74</a> EMERGENCY MOTION for Temporary Restraining Order and Preliminary Injunction, and to Enforce the Stipulation of Settlement. Motion Hearing set for 7/13/2021 at 03:30 PM in Courtroom 12C, 500 Pearl Street, New York, NY 10007 before Part I Judge Gregory H. Woods. (ama) (Entered: 07/09/2021)</p>
07/12/2021	<a href="#">85</a>	<p>MEMORANDUM OF LAW in Opposition re: <a href="#">74</a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement.</i> . Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 07/12/2021)</p>
07/12/2021	<a href="#">86</a>	<p>DECLARATION of Conor Sheehan in Opposition re: <a href="#">74</a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement.</i>. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 07/12/2021)</p>

07/12/2021	<a href="#"><u>87</u></a>	DECLARATION of George Nashak in Opposition re: <a href="#"><u>74</u></a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement.</i> .. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 07/12/2021)
07/12/2021	<a href="#"><u>88</u></a>	DECLARATION of Christopher Blanco in Opposition re: <a href="#"><u>74</u></a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement.</i> .. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services. (Attachments: # <a href="#"><u>1</u></a> Exhibit A- Blanco Declaration in Fisher).(Sprayregen, Sharon) (Entered: 07/12/2021)
07/12/2021	<a href="#"><u>89</u></a>	DECLARATION of Molly Park in Opposition re: <a href="#"><u>74</u></a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement.</i> .. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services. (Attachments: # <a href="#"><u>1</u></a> Exhibit A- Interim RA Procedure, # <a href="#"><u>2</u></a> Exhibit B- May 19 Carter Letter to Providers, # <a href="#"><u>3</u></a> Exhibit C- May 19 Crater Letter to Clients, # <a href="#"><u>4</u></a> Exhibit D- OTDA Guidance, # <a href="#"><u>5</u></a> Exhibit E- DSS GC Letter, # <a href="#"><u>6</u></a> Exhibit F- 5-Day Notice Letter, # <a href="#"><u>7</u></a> Exhibit G- 48 hr Notice Letter).(Sprayregen, Sharon) (Entered: 07/12/2021)
07/12/2021	<a href="#"><u>90</u></a>	REPLY to Response to Motion re: <a href="#"><u>74</u></a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement.</i> . Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Goldfein, Joshua) (Entered: 07/12/2021)
07/12/2021	<a href="#"><u>91</u></a>	DECLARATION of /Second Declaration of Deborah B. Diamant in Support re: <a href="#"><u>74</u></a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement.</i> .. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Goldfein, Joshua) (Entered: 07/12/2021)
07/12/2021	<a href="#"><u>92</u></a>	DECLARATION of / Second Declaration of Gabriela Torres-Lorenzotti in Support re: <a href="#"><u>74</u></a> EMERGENCY MOTION for

		Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement..</i> Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4).(Goldfein, Joshua) (Entered: 07/12/2021)
07/12/2021	<a href="#">93</a>	DECLARATION of / Second Declaration of Helen Strom in Support re: <a href="#">74</a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement..</i> Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Goldfein, Joshua) (Entered: 07/12/2021)
07/13/2021		Minute Entry for proceedings held before Judge Gregory H. Woods: Motion Hearing held on 7/13/2021 re: <a href="#">74</a> EMERGENCY MOTION for Temporary Restraining Order <i>and Preliminary Injunction, and to Enforce the Stipulation of Settlement.</i> filed by O'Brien Morris, Sandra Butler, New York and Coalition for the Homeless, Richard Emmett, Roselle Diaz, Kevin Faison, Center for Independence of the Disabled, Shaniqua Jackson, Ricky Gibson. (Court Reporter Rose Prater) (wv) (Entered: 07/13/2021)
07/13/2021	<a href="#">94</a>	ORDER granting in part <a href="#">74</a> Motion for TRO. IT IS HEREBY ORDERED that for the reasons stated at the hearing, Plaintiffs' motion for a temporary restraining order is granted in part. For the following 14 days, through July 27, 2021, Defendants, their officers, agents, servants, employees, and attorneys, and other persons who are in active concert or participation with any of the foregoing are temporarily enjoined and restrained from involuntarily moving any Class Member from a De-densification Hotel unless the following requirements are satisfied: 1. Defendants shall have provided written notice to each Class Member - regardless of whether they are to be transferred to congregate shelters or to another hotel - consistent with the form notice agreed upon by the parties regarding the proposed move no later than seven (7) days prior to the proposed move; and 2. Defendants shall have scheduled an individual meeting with each Class Member to take place no later than five (5) days prior to the proposed move. At each such meeting, a representative of Defendants must inform the client regarding the Reasonable Accommodation process and must be prepared to discuss Defendants' assessment of any Reasonable Accommodation

		request made by the client. Defendants are directed to provide a script for its case managers to use during these meetings. Failure by a client to attend the scheduled meeting will not limit the ability of Defendants to relocate that client to a congregate or other facility. IT IS FURTHER ORDERED that the relief is incremental to the obligations of Defendants under the Stipulation of Settlement. See Stipulation, Dkts. 67, 70. IT IS FURTHER ORDERED that this relief is provisional and may be modified by Judge Caproni without limitation. SO ORDERED. (Signed by Judge Gregory H. Woods, Part I on 7/13/2021) (mml) (Entered: 07/14/2021)
07/19/2021	<a href="#">95</a>	ORDER: IT IS HEREBY ORDERED that a hearing on Plaintiffs motion for a preliminary injunction will be held on Monday, July 26, 2021 at 11:00 A.M. The hearing will be held in Courtroom 443 of the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York 10007. IT IS FURTHER ORDERED that Plaintiffs must file a supplemental brief, not to exceed 10 pages, by no later than Wednesday, July 21, 2021 at 5:00 P.M. Defendants' response in opposition, not to exceed 10 pages, is due no later than Thursday, July 22, 2021 at 5:00 P.M. Plaintiffs' reply in support of their motion, not to exceed 5 pages, is due no later than Friday, July 23, 2021 at 5:00 P.M. IT IS FURTHER ORDERED that any person who appears at any SDNY courthouse must comply with Standing Order M10-468 (21-MC-164), which further pertains to courthouse entry. IT IS FURTHER ORDERED that interested members of the public may attend by dialing 1-888-363-4749, using the access code 3121171 and the security code 3783. All of those accessing the hearing are reminded that recording or rebroadcasting of the proceeding is prohibited by law. And as set forth herein. SO ORDERED., Set Deadlines/Hearing as to ( Replies due by 7/23/2021., Motion Hearing set for 7/26/2021 at 11:00 AM in Courtroom 443, 40 Centre Street, New York, NY 10007 before Judge Valerie E. Caproni.), ( Replies due by 7/23/2021.) (Signed by Judge Valerie E. Caproni on 7/19/2021) (ama) (Entered: 07/19/2021)
07/21/2021	<a href="#">96</a>	JOINT LETTER addressed to Judge Valerie E. Caproni from Joshua Goldfein dated July 21, 2021 re: the Temporary Restraining Order issued by Judge Woods on July 13, 2021 (Dkt. 94), and the Court's July 19, 2021 order scheduling briefing and a hearing on Plaintiffs' Motion for a Preliminary Injunction (Dkt. 95). Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and



		Coalition for the Homeless. (Attachments: # <a href="#">1</a> Text of Proposed Order).(Goldfein, Joshua) (Entered: 07/21/2021)
07/21/2021	<a href="#">97</a>	STIPULATION AND ORDER: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties, through the undersigned, as follows: The TRO Order is converted into a preliminary injunction, which will remain in effect until at least August 20, 2021. If the transfer of Class Members from de-densification hotels to congregate shelter or another hotel is not completed by August 20, 2021, the parties may agree to extend the injunction until a date when the transfers are expected to be complete; if the parties are unable to agree upon a date certain, Plaintiffs may apply to this Court for an extension of the injunction. The parties recognize that the Court maintains jurisdiction in this matter should further judicial intervention be required. By no later than Friday, August 27, 2021, the parties must file a joint status update to the Court. The letter must address whether the transfers from the De-densification Hotels have been completed, whether Plaintiffs are seeking any additional preliminary relief, and each party's respective position as to whether the Court should deny Plaintiffs' Motion to Enforce the Stipulation of Settlement as moot. The preliminary injunction hearing, currently scheduled for Monday, July 26, 2021 at 11:00 A.M., and the corresponding briefing schedule, see Order, Dkt. 96, are hereby canceled. SO ORDERED. (Signed by Judge Valerie E. Caproni on 7/21/2021) (ama) (Entered: 07/21/2021)
07/22/2021	<a href="#">98</a>	LETTER: addressed to Judge Valerie E. Caproni from Moria Y. dated 7/22/2021 re: Despite your order to block the city mandatory evacuation of the hotels, city has continued the effort to move out the homeless New Yorkers in need and with physical and mental disability. This action by the city will further destabilize the homeless in very vulnerable conditions and greatly in need of help. Additionally, it could be a threat to public health as well as endangering the health of individuals. The city did not recognize the right of individuals for reasonable accommodation and continue to enforce evacuation. Not allowing ample time for the homeless residents to make the transition will further impact them and it can have a significant impact on the city as well as the community. The city has not fulfilled their obligation to hold individual meetings for shelter clients with case workers no later than five days prior to a move.(ama) (Entered: 07/22/2021)
07/25/2021	<a href="#">99</a>	TRANSCRIPT of Proceedings re: CONFERENCE held on 7/13/2021 before Judge Gregory H. Woods. 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 8/16/2021. Redacted Transcript Deadline set for 8/25/2021. Release of Transcript Restriction set for 10/25/2021..(McGuirk, Kelly) (Entered: 07/25/2021)
07/25/2021	<a href="#"><u>100</u></a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 7/13/21 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: 07/25/2021)
07/26/2021	<a href="#"><u>101</u></a>	LETTER: addressed to Mrs. Jarrett from Juan Chavez dated 7/26/2021 re: I had an uncomfortable meeting with Ms. Heard this morning. Ms. Bell was present. I feel horrible. I would like to be spoken to with Authentic respect and believe that that is one of my rights. There are only two weeks left in my RESPITE stay and Ms. Heard appears to be one of few helping forward my 2010e housing pursuit... not to mention the outstanding Reasonable Accommodation Appeal. It's going to take an educated, coordinated, social, team with checks and balances. Who else can view CARES, and who can se cure 2010e interviews? Who on staff has experience or ability with Reasonable Accommodation Appeals?.(ama) (Entered: 07/26/2021)
07/28/2021	<a href="#"><u>102</u></a>	LETTER addressed to Judge Gregory H. Woods from Neil Curie dated 7/28/2021 re: Earlier this morning I was notified that the Department of Homeless Services ('DHS') is planning to move all residents back in to shelters tomorrow, in congruent living conditions.(ama) (Entered: 07/28/2021)
07/30/2021		Minute Entry for proceedings held before Judge Valerie E. Caproni: Telephone Conference held on 7/30/2021. Attorneys Joshua Goldfein and Dawn Smalls present for the plaintiffs. Attorneys Sharon Sparyregen and Carolyn Wolpert present for the defendants. Court Reporter Khris Sellin present. (anc) (Entered: 08/02/2021)
08/02/2021	<a href="#"><u>103</u></a>	LETTER addressed to Sunia Khan, Daniel DeFalco from Juan Chavez dated 7/30/2021 re: wish to appeal unwanted transfer. (ate) (Entered: 08/02/2021)



08/03/2021	<a href="#"><u>104</u></a>	EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> . Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Goldfein, Joshua) (Entered: 08/03/2021)
08/03/2021	<a href="#"><u>105</u></a>	MEMORANDUM OF LAW in Support re: <a href="#"><u>104</u></a>  EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> . . Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Goldfein, Joshua) (Entered: 08/03/2021)
08/03/2021	<a href="#"><u>106</u></a>	<b><a href="#"><u>FILING ERROR - DEFICIENT DOCKET ENTRY - (SEE DOCUMENT #109)</u></a></b> - DECLARATION of /Third Declaration of Helen Strom in Support re: <a href="#"><u>104</u></a> EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> .. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Goldfein, Joshua) Modified on 8/4/2021 (lb). (Entered: 08/03/2021)
08/03/2021	<a href="#"><u>107</u></a>	<b><a href="#"><u>FILING ERROR - DEFICIENT DOCKET ENTRY - (SEE DOCUMENT #114)</u></a></b> - DECLARATION of /Third Declaration of Gabriela Torres-Lorenzotti in Support re: <a href="#"><u>104</u></a> EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> .. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2, # <a href="#"><u>3</u></a> Exhibit 3, # <a href="#"><u>4</u></a> Exhibit 4, # <a href="#"><u>5</u></a> Exhibit 5).(Goldfein, Joshua) Modified on 8/4/2021 (lb). (Entered: 08/03/2021)
08/03/2021	<a href="#"><u>108</u></a>	<b><a href="#"><u>FILING ERROR - DEFICIENT DOCKET ENTRY - (SEE DOCUMENT #113)</u></a></b> - DECLARATION of /Third Declaration of Deborah B. Diamant in Support re: <a href="#"><u>104</u></a> EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> .. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky

		Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4).(Goldfein, Joshua) Modified on 8/4/2021 (lb). (Entered: 08/03/2021)
08/03/2021	<a href="#">109</a>	DECLARATION of /Third Declaration of Helen Strom in Support re: <a href="#">104</a> EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> .. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#">1</a> Exhibit 1).(Goldfein, Joshua) (Entered: 08/03/2021)
08/03/2021	<a href="#">110</a>	LETTER addressed to Judge Valerie E. Caproni from Sharon Sprayregen dated August 3, 2021 re: Plaintiffs' emergency application. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/03/2021)
08/03/2021	<a href="#">111</a>	LETTER addressed to Judge Valerie E. Caproni from Sharon Sprayregen dated August 3, 2021 re: supplement to ECF No. 110. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/03/2021)
08/03/2021	<a href="#">112</a>	ORDER: IT IS HEREBY ORDERED that a hearing on Plaintiffs' motion to amend the preliminary injunction will be held on Thursday, August 5, 2021 at 3:00 P.M. The hearing will be held in Courtroom 443 of the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York 10007. IT IS FURTHER ORDERED that Defendants' response in opposition to Plaintiffs' motion to amend the preliminary injunction is due no later than Wednesday, August 4, 2021 at 3:00 P.M. As Defendants suggested, their response should include their plan for complying with the existing Orders and the Stipulation of Settlement. If Defendants plan to call witnesses and introduce exhibits at the hearing, Defendants must include a witness and exhibit list. Plaintiffs' reply in support of their motion is due no later than Thursday, August 5, 2021 at 10:00 A.M. If Plaintiffs plan to call witnesses and introduce exhibits, Plaintiffs must include a witness and exhibit list. Plaintiffs must also attach a proposed preliminary injunction as an exhibit to their reply brief. The Court reminds Plaintiffs that the proposed preliminary injunction must comply with the requirements of Rule 65(d) of the Federal Rules of Civil Procedure, including that it be specific,

		narrowly tailored, and not reference any other document. IT IS FURTHER ORDERED that interested members of the public may attend by dialing 1-888-363-4749, using the access code 3121171 and the security code 3783. All of those accessing the hearing are reminded that recording or rebroadcasting of the proceeding is prohibited by law. SO ORDERED. (Responses due by 8/4/2021, Replies due by 8/5/2021) (Status Conference set for 8/5/2021 at 03:00 PM in Courtroom 443, 40 Centre Street, New York, NY 10007 before Judge Valerie E. Caproni.) (Signed by Judge Valerie E. Caproni on 8/3/2021) (anc) (Entered: 08/04/2021)
08/04/2021	<a href="#"><u>113</u></a>	DECLARATION of / Third Declaration of Deborah B. Diamant in Support re: <a href="#"><u>104</u></a> EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> .. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2, # <a href="#"><u>3</u></a> Exhibit 3, # <a href="#"><u>4</u></a> Exhibit 4).(Goldfein, Joshua) (Entered: 08/04/2021)
08/04/2021	<a href="#"><u>114</u></a>	DECLARATION of / Third Declaration of Gabriela Torres-Lorenzotti in Support re: <a href="#"><u>104</u></a> EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> .. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2, # <a href="#"><u>3</u></a> Exhibit 3, # <a href="#"><u>4</u></a> Exhibit 4, # <a href="#"><u>5</u></a> Exhibit 5).(Goldfein, Joshua) (Entered: 08/04/2021)
08/04/2021	<a href="#"><u>115</u></a>	LETTER MOTION for Extension of Time <i>for one hour from 3 pm to 4 pm</i> addressed to Judge Valerie E. Caproni from Sharon Sprayregen dated August 4, 2021. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/04/2021)
08/04/2021	<a href="#"><u>116</u></a>	ORDER granting <a href="#"><u>115</u></a> Letter Motion for Extension of Time. Application GRANTED. SO ORDERED. (Signed by Judge Valerie E. Caproni on 8/4/2021) (rro) (Entered: 08/04/2021)
08/04/2021	<a href="#"><u>117</u></a>	DECLARATION of Joslyn Carter in Opposition re: <a href="#"><u>104</u></a>  EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> .. Document filed by Steven Banks, City of

		New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/04/2021)
08/04/2021	<a href="#"><u>118</u></a>	LETTER addressed to Judge Valerie E. Caproni from Sharon Sprayregen dated August 4, 2021 re: ECF No. 112. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/04/2021)
08/04/2021	<a href="#"><u>119</u></a>	MOTION to Amend/Correct <a href="#"><u>117</u></a> Declaration in Opposition to Motion, . Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/04/2021)
08/05/2021	<a href="#"><u>120</u></a>	<b>FILING ERROR - DEFICIENT DOCKET ENTRY - (SEE DOCUMENT #122) -</b> REPLY MEMORANDUM OF LAW in Support re: <a href="#"><u>104</u></a> EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> . . Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#"><u>1</u></a> Proposed Modified Preliminary Injunction).(Goldfein, Joshua) Modified on 8/5/2021 (lb). (Entered: 08/05/2021)
08/05/2021	<a href="#"><u>121</u></a>	LETTER addressed to Judge Valerie E. Caproni from Joshua Goldfein dated August 5, 2021 re: ECF No. 112. Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless..(Goldfein, Joshua) (Entered: 08/05/2021)
08/05/2021	<a href="#"><u>122</u></a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#"><u>104</u></a>  EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i> . . Document filed by Sandra Butler, Center for Independence of the Disabled, Roselle Diaz, Richard Emmett, Kevin Faison, Ricky Gibson, Shaniqua Jackson, O'Brien Morris, New York and Coalition for the Homeless. (Attachments: # <a href="#"><u>1</u></a> Proposed Modified Preliminary Injunction).(Goldfein, Joshua) (Entered: 08/05/2021)
08/05/2021	<a href="#"><u>123</u></a>	ORDER granting in part <a href="#"><u>119</u></a> Motion to Amend/Correct <a href="#"><u>119</u></a> MOTION to Amend/Correct <a href="#"><u>117</u></a>

		<p>Declaration in Opposition to Motion, . IT IS HEREBY ORDERED that for the reasons stated at the hearing, the Court construes Plaintiffs' motion as a motion for a new temporary restraining order, which is granted in part. Defendants, their officers, agents, servants, employees, and attorneys, and other persons who are in active concert or participation with any of the foregoing are enjoined and restrained from involuntarily moving any Class Member from a De-densification Hotel. The relief imposed herein is incremental to the obligations of Defendants under the existing Preliminary Injunction, Dkt. 97, and the Stipulation of Settlement, Dkts. 67, 70. IT IS FURTHER ORDERED that the TRO will stay in effect until Thursday, August 19, 2021, or until the Court has entered a plan and vacated the TRO. The parties are directed to meet and confer to develop a plan that addresses the elements highlighted at today's hearing. The Court encourages the parties to file jointly an agreed upon plan. If the parties cannot agree on a plan, the City may propose its own written plan unilaterally, upon notice to Plaintiffs. If the City proposes a plan unilaterally, the Court will set a hearing to discuss it. If the parties do not propose an agreed upon plan, and the City does not propose a unilateral plan, the Court will hold a hearing on Plaintiffs' motion for a preliminary injunction on Monday, August 17, 2021 at 4:00 P.M. The Clerk of Court is respectfully directed to close the open motion at docket entry 119. SO ORDERED.. (Signed by Judge Valerie E. Caproni on 8/5/2021) (rj) (Entered: 08/06/2021)</p>
08/05/2021		Set/Reset Hearings: Status Conference set for 8/17/2021 at 04:00 PM before Judge Valerie E. Caproni. (rj) (Entered: 08/06/2021)
08/05/2021		Minute Entry for proceedings held before Judge Valerie E. Caproni: Status Conference held on 8/5/2021. Attorneys Dawn Smalls, Joshua Goldfein, Ali Alsarraf and Jacob Alderdice present for the plaintiffs. Attorneys Sharon Sprayregen, Carolyn Kruk and Martha Calhoun present for the defendants. Court Reporter Rebecca Forman present. (anc) (Entered: 08/09/2021)
08/09/2021	<a href="#">124</a>	LETTER addressed to Judge Valerie E. Caproni from T. Komatsu, dated 8/6/21 re: This letter is being filed to request authorization to be granted permissive intervention in the case referenced above as an interested party to facilitate your ability to make better-informed decisions about material matters. In the ongoing case, Komatsu v. City of New York 20cv10942(VEC)(SDNY), that I commenced to which you are also assigned. I apprised you about the fact I have been involved in litigation against the New York

		City Human Resources Administration. Document filed by T. Komatsu, a non-party.(sc) Modified on 8/9/2021 (sc). (Entered: 08/09/2021)
08/10/2021	<a href="#">125</a>	<p>MEMO ENDORSEMENT on re: <a href="#">124</a> Letter.</p> <p>ENDORSEMENT: Mr. Komatsu's motion to intervene is DENIED. Mr. Komatsu is not entitled to intervene. Pursuant to Federal Rule of Civil Procedure 24(a)(2), a court "must permit anyone to intervene who...claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest." Fed. R. Civ. P. 24(a)(2). And pursuant to Federal Rule of Civil Procedure 24(b)(1)(B), a court "[o]n timely motion...may permit anyone to intervene who has a claim or defense that shares with the main action a common question of law or fact." Fed. R. Civ. P. 24(b)(1)(B). To intervene either as of right or with permission, "an applicant must (1) timely file an application, (2) show an interest in the action, (3) demonstrate that the interest may be impaired by the disposition of the action, and (4) show that the interest is not protected adequately by the parties to the action...Failure to satisfy any one of these four requirements is a sufficient ground to deny the application." <i>Floyd v. City of New York</i>, 770 F.3d 1051, 1057 (2d Cir. 2014) (cleaned up). Mr. Komatsu has not demonstrated that he has a sufficient interest in this case. Although he appears to have many grievances against Defendants and other City agencies, the open motion in this action concerns the transfers out of De-densification Hotels by the New York City Department of Homeless Services. Mr. Komatsu has not alleged that he is a client of the homeless shelter system or that he is in any way a member of the certified class in <i>Butler</i>. Moreover, any abstract interest Mr. Komatsu has in the transfers out of the De-Densification Hotels will be adequately represented by the Plaintiffs in the action. The Clerk of Court is respectfully directed to mail this endorsement to Towaki Komatsu, 802 Fairmount Pl., Apt. 4B, Bronx, NY 10460, and to note the mailing on the docket. SO ORDERED. (Signed by Judge Valerie E. Caproni on 8/10/2021) (jca) Transmission to Docket Assistant Clerk for processing. Modified on 8/13/2021 (sc). (Entered: 08/10/2021)</p>
08/10/2021		Mailed a copy of <a href="#">125</a> Memo Endorsement, to Towaki Komatsu at 802 Fairmount Pl., Apt. 4B, Bronx, NY 10460. (dsh) (Entered: 08/10/2021)



08/11/2021	<a href="#"><u>126</u></a>	LETTER addressed to Judge Laura Taylor Swain from T. Komatsu, dated 8/11/21 re: U.S. v Smith, 426 F.3d567(2d Cir. 2005) is controlling law that confirms that one of the legal duties which you and all of the other federal judges in this circuit have is to consistently exercise proper control of court. I certainly did not issue the decision in U.S. v. Smith. The Second Circuit did that. A short time ago, I received an email notification about an endorsement that you issued today in Komatsu v. USA, No. 20-cv-7046(ER)(SDNY) which corresponds to docket number 211. That notification indicates that your endorsement is in response to a letter dated 8/7/21 that I filed across multiple sets of litigation which I commenced and otherwise addressed to you to determine whether any of the judges who are assigned to them and you would perform the legal duty that all of you have to consistently exercise the proper control of Court to uphold my legal rights and prevailing legal standards. (sc) Modified on 8/16/2021 (sc). (Entered: 08/13/2021)
08/11/2021		<b>***STRICKEN DOCUMENT. Deleted document number <a href="#"><u>126</u></a> from the case record. The document was stricken from this case pursuant to <a href="#"><u>137</u></a> Memo Endorsement. (ate)</b> (Entered: 08/17/2021)
08/13/2021	<a href="#"><u>127</u></a>	ORDER: IT IS HEREBY ORDERED that if the parties do not propose an agreed upon plan, and the City does not propose a unilateral plan, the Court will hold a hearing on Plaintiffs' motion for a preliminary injunction on Tuesday, August 17, 2021 at 4:00 P.M. (Status Conference set for 8/17/2021 at 04:00 PM before Judge Valerie E. Caproni.) (Signed by Judge Valerie E. Caproni on 8/13/2021) (ate) (Entered: 08/13/2021)
08/13/2021	<a href="#"><u>128</u></a>	JOINT LETTER addressed to Judge Valerie E. Caproni from Sharon Sprayregen dated August 13, 2021 re: status update re the parties' efforts to develop an agreed upon plan. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/13/2021)
08/14/2021	<a href="#"><u>129</u></a>	MEMO ENDORSEMENT on re: <a href="#"><u>128</u></a> Letter, filed by The New York City Department of Homeless Services, Steven Banks, City of New York. ENDORSEMENT: Application GRANTED. By no later than Monday, August 16, 2021 at 12:00 P.M., the City must file a proposed plan for the Court's consideration. By that date and time, the parties must also file a joint letter detailing their respective positions on any points of disagreement with respect to the City's proposed plan. The joint letter must include both parties' respective positions on whether further injunctive relief is

		warranted and whether either side intends to call witnesses at the hearing. If a party intends to call a witness or witnesses, the letter should indicate the witness's name and relationship to this case (e.g. whether the witness is a Class Member, an NGO worker, a shelter case manager, an employee of DHS, etc). (Signed by Judge Valerie E. Caproni on 8/14/2021) (ate) (Entered: 08/16/2021)
08/16/2021	<a href="#"><u>130</u></a>	CONSENT LETTER MOTION for Extension of Time to File <i>Joint Letter and Defendants' Plan</i> addressed to Judge Valerie E. Caproni from Carolyn Kruk dated August 16 2021. Document filed by City of New York..(Kruk, Carolyn) (Entered: 08/16/2021)
08/16/2021	<a href="#"><u>131</u></a>	LETTER addressed to Judge Valerie E. Caproni from Sharon Sprayregen dated August 16, 2021 re: DHS's Proposed Plan. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services. (Attachments: # <a href="#"><u>1</u></a> DHS's Proposed Plan, # <a href="#"><u>2</u></a> Ex. A - Workflow diagram, # <a href="#"><u>3</u></a> Ex B - Decision on Your RA Notice, # <a href="#"><u>4</u></a> Ex C- Decision on Your RA Noice - different form, # <a href="#"><u>5</u></a> Ex. D- Administrative Denial Notice, # <a href="#"><u>6</u></a> Ex. E- Individualized Placement Notice, # <a href="#"><u>7</u></a> Ex. F- Example of Signature Roster, # <a href="#"><u>8</u></a> Ex. G- Generic Cover Letter, # <a href="#"><u>9</u></a> Ex. H - PowerPoint Training).(Sprayregen, Sharon) (Entered: 08/16/2021)
08/16/2021	<a href="#"><u>132</u></a>	JOINT LETTER addressed to Judge Valerie E. Caproni from Sharon Sprayregen dated August 16, 2021 re: joint letter re the parties' positions on the two points of disagreement. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/16/2021)
08/16/2021	<a href="#"><u>133</u></a>	ORDER granting <a href="#"><u>130</u></a> Letter Motion for Extension of Time to File. Application GRANTED. SO ORDERED. (Signed by Judge Valerie E. Caproni on 8/16/2021) (ate) (Entered: 08/16/2021)
08/16/2021	<a href="#"><u>134</u></a>	ORDER TO SHOW CAUSE WHY FILING RESTRICTIONS PURSUANT TO 28 U.S.C. §1651 SHOULD NOT BE IMPOSED: Because of Mr. Komatsu's history of filing meritless requests in cases to which he is not a party, Mr. Komatsu must show cause why he should not be enjoined from filing any further documents in cases to which he is not a party unless he complies with the following conditions: Any document that Mr. Komatsu seeks to file in a case to which he is not a party must include (1) a copy of this order; and (2) a one-page declaration under penalty of perjury stating his legal interest in the matter and why he should be permitted to move to intervene. The one-page document must be titled: Motion for Leave to File a Motion to Intervene. Were the



		<p>Court to impose such a filing restriction, the Clerk's Office would be directed not to docket any documents that Mr. Komatsu submits that do not comply with the above conditions. Additionally, the Clerk's Office would not be obligated to return to Mr. Komatsu any documents that do not comply with this order. By no later than Monday, August 30, 2021, Mr. Komatsu must show cause, in the form of a written declaration not to exceed 7 pages, why the Court should not impose the above filing restrictions. If Mr. Komatsu fails to submit a declaration within the time directed, or if his declaration does not set forth good cause, Mr. Komatsu will be enjoined from filing documents in cases to which is not a party unless he complies with the above conditions. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 44445 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). The Clerk of Court is directed to mail a copy of this order to Towaki Komatsu, 802 Fairmount Pl., Apt. 4B, Bronx, NY 10460, and to note the mailing on the docket. (Signed by Judge Valerie E. Caproni on 8/16/2021) (ate) Transmission to Docket Assistant Clerk for processing. (Entered: 08/17/2021)</p>
08/17/2021		<p>Mailed a copy of <a href="#">134</a> Order to Show Cause, to o Towaki Komatsu, 802 Fairmount Pl., Apt. 4B, Bronx, NY 10460. (dsh) (Entered: 08/17/2021)</p>
08/17/2021	<a href="#">135</a>	<p>MOTION for Thomas Roberts and James Dervin to Withdraw as Attorney . Document filed by City of New York..(Kruk, Carolyn) (Entered: 08/17/2021)</p>
08/17/2021	<a href="#">136</a>	<p>ORDER granting <a href="#">135</a> Motion to Withdraw as Attorney. Application GRANTED. The Clerk of Court is respectfully requested to terminate Thomas Roberts and James Dervin as counsel for Defendants. Attorney James Monroe Dervin and Thomas B. Roberts terminated. (Signed by Judge Valerie E. Caproni on 8/17/2021) (ate) (Entered: 08/17/2021)</p>
08/17/2021	<a href="#">137</a>	<p>MEMO ENDORSEMENT on re: <a href="#">126</a> Letter. ENDORSEMENT: ON August 10, 2021, the Court denied Mr. Komatsu's motion to intervene in this matter. See Endorsement, Dkt. 125. Accordingly, as a non-party, Mr. Komatsu does not have filing privileges in this case. The Clerk of Court is respectfully directed to strike Mr. Komatsu's filing at docket entry 126 from the docket in 15-CV-3783. The Clerk is further directed to refrain from posting any additional filings from Mr. Komatsu in this case, with the</p>

		exception of Mr. Komatsu's response to the Order to Show Cause at docket entry 134. (Signed by Judge Valerie E. Caproni on 8/17/2021) (ate) Transmission to Office of the Clerk of Court for processing. (Entered: 08/17/2021)
08/17/2021		Minute Entry for proceedings held before Judge Valerie E. Caproni: Status Conference held on 8/17/2021. Attorneys Beth Hofmeister, Deborah Diamant, Jacob Alderdice and Andrew Elliott present for the plaintiffs. Attorneys Sharon Sprayregen, Carolyn Kruk and Martha Calhoun present for the defendants. Court Reporter Sonya Moore present. (anc) (Entered: 08/19/2021)
08/18/2021	<a href="#"><u>138</u></a>	ORDER: IT IS HEREBY ORDERED that for the reasons stated at the hearing, Plaintiff's objections to case manager staffing and the timing of the look back interviews are OVERRULED. IT IS FURTHER ORDERED that by no later than Thursday, August 19, 2021, the parties must file a joint stipulation that the Court may so order that incorporates the City's Plan. IT IS FURTHER ORDERED that by no later than Thursday, August 19, 2021, the City must update the Court as to whether T.E. and J.M. have been moved to placements with ADA compliant bathrooms and if not, why not. More generally, the Court encourages the parties to meet and confer to develop a better method for the advocacy organizations to inform DHS about clients who they believe have reasonable accommodation needs that are not being met. IT IS FURTHER ORDERED that by no later than Friday, September 24, 2021, the City must provide the Court with an update about the status of the moves out of the De-densification Hotels and the look back interviews. (Signed by Judge Valerie E. Caproni on 8/18/2021) (ate) (Entered: 08/18/2021)
08/19/2021	<a href="#"><u>139</u></a>	PROPOSED STIPULATION AND ORDER. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/19/2021)
08/19/2021	<a href="#"><u>140</u></a>	LETTER addressed to Judge Valerie E. Caproni from Sharon Sprayregen dated August 19, 2021 re: update re T.E. and J.M. Document filed by Steven Banks, City of New York, The New York City Department of Homeless Services..(Sprayregen, Sharon) (Entered: 08/19/2021)
08/20/2021	<a href="#"><u>141</u></a>	STIPULATION AND ORDER: NOW THEREFORE, IT IS STIPULATED AND AGREED AMONG THE PARTIES THAT: 1. Definitions: The following definitions apply to this Stipulation:a. "Density Hotel" is a hotel that DHS used to shelter clients during the Covid pandemic to reduce the density of clients

in congregate shelters. b. "Day 1" is the day that DHS serves the Cover Letter, RA Determination Notice, and/or Administrative Denial Notice on clients at a particular density hotel. The corresponding calendar date associated with any "Day 1" may differ by density hotel. c. "Comparable shelter placement" is the lesser of what the client requested or the client currently has. For example, if a client resides in a single room but their reasonable accommodation request may entitle the client to a double room, the client can be moved to a double-occupancy room and this would be considered a "comparable shelter placement." Likewise, if a client is in a double room, but has a reasonable accommodation request that might entitle the client to a single room, the client can be placed in a double room.

2. Additional Outreach: As of August 15, 2021, case managers have completed scripted interviews with over 85 percent of clients remaining in density hotels. With respect to the remaining clients who did not attend their interview appointments, DHS providers will make two additional attempts to engage the client to discuss any reasonable accommodation needs by serving the five-day appointment notices in person and/or leaving notices on clients' beds/lockers for those who cannot be found in person.

3. DHS Will Provide Clients in Density Hotels with Notices reflecting their Reasonable Accommodation Determinations, As Applicable: DHS will distribute a cover letter and notices, as applicable, to clients remaining in the density hotels. Signature logs will be kept confirming that the notice(s) was (or were) received by the client (see Dkt. 131-7). DHS will translate each notice as well as the cover letter into the languages required by Local Law 30.

i. "Decision on Your Reasonable Accommodation Request" (see Dkt. Nos. 131-3 and 131-4) : Clients who have submitted reasonable accommodation requests and supplied supporting documentation where it was requested, will receive a notice titled "Decision on Your Reasonable Accommodation Request." As discussed in the Timeline at paragraph 4, below, clients will receive this notice at least 5 days in advance of a move if there are any denials on the merits of their requests. This notice, as well as the Cover Letter described at subparagraph (iv) below, explains that the client must submit an appeal within 48 hours of receipt of the notice to maintain a comparable shelter placement in the upcoming move.

ii. "Administrative Denial of Your Reasonable Accommodation Request" (see Dkt No. 131-5): Clients who have not submitted the required supporting documentation from clinical professionals will receive an "Administrative Denial of Your Reasonable Accommodation Request" notice (hereinafter the "Administrative Denial Notice").

iii. Individualized Placement Notification (see Dkt. No. 131-6): This notice informs a client at

		<p>least 24hours before their move of the name and address of the facility they are moving to and the type of placement (single room, double room, or congregate dorm). iv. Cover Letter (see Dkt. No. 131-8): All clients will receive a cover letter that explains the different types of notices being distributed to clients on "Day 1" as discussed in the Timeline at paragraph 4, below. 4. Timeline: DHS's timeline, which reflects the earliest date by which clients could be moved out of density hotels to a congregate shelter setting or another non-density hotel is as follows: Merit approval, no denial: If a client's accommodation request is being granted then on placement until the appeal is decided. Merit denial, no appeal submitted: A client who receives a merit denial and does not appeal within 48 hours can be moved to a congregate shelter setting on Day 5. Administrative denial, subsequently submit documents: A client who receives an administrative denial on Day 1 and submits documents anytime between Day 1 and Day 10 at 6 pm will receive a determination of their accommodation request on the merits on Day 11 or Day 12. If a client receives a merit denial and does not appeal the merit denial within 48 hours of receipt then the client could receive the 24-hour Individualized Placement notice on Day 13, in which case the client can be moved on Day 14. (In the case of a client submitting documents late in the day on Day 10, if they do not appeal the determination they receive on Day 12 then they could receive a Placement notice on Day 14 and can be moved on Day 15.) If a client receives a merit denial and appeals the merit denial within 48 hours (and by 6 pm two calendar days after receipt) then the client would be moved to a comparable shelter placement. If a client receives a merit approval, they can be moved as early as the following day to a shelter that accommodates their needs, similar to Scenario No. 1, above. Administrative denial, no documents submitted: A client who receives an administrative denial on Day 1 and does not submit documents by Day 10 (by 6 p.m.) can be moved to a congregate shelter setting as early as Day 12. The client would receive the 24-hour Individualized Placement notice on Day 11. Administrative denial, subsequently submits documents, but no final decision by the date the hotel is closing: A client will receive a comparable shelter placement. 5. Appeals: During the implementation of this plan, the Appeals Committee will increase the number of staff members available from the four divisions that comprise the Appeals Committee. Specifically, the DHS office of Adult Services will have as a minimum three staff available to sit on the Committee, the Department of Social Services (DSS) Office of Disability Affairs will make at least three staff available, the DHS Office of the Medical Director will make at least six staff available, and the DHS Disability Access and Functional Needs</p>
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office will make at least four coordinators available. Throughout the pendency of the moves out of density hotels and while conducting the "Look Back" plan, the Appeals Committee will shorten its review process to a maximum of 72 hours (for appeals received on Friday and over the weekend) or a maximum of 48 hours (for appeals received Monday through Thursday).

Furthermore, the Appeals Committee will meet up to five times each week, as necessary, to process reviews under this time frame.

6. Training: DHS will facilitate the training of case managers using the PowerPoint presentation (see Dkt. No. 131-9). The trainings will be delivered using Zoom and Day 1 the client will receive both an RA Determination Notice notifying them that the request is being granted, and potentially a 24-hour Individualized Placement notice informing them where they will be moved. In such a case, because the client's accommodation request was granted, they could be moved as soon as Day 2. Merit denial, appeal submitted without determination of the appeal by the time the density hotel closes: A client with a merit denial who appeals the denial within 48 hours after its issuance and who has not received a determination on the appeal before the density hotel closes would be moved to a comparable shelter placement until the appeal is decided. Merit denial, no appeal submitted: A client who receives a merit denial and does not appeal within 48 hours can be moved to a congregate shelter setting on Day 5. Administrative denial, subsequently submit documents: A client who receives an administrative denial on Day 1 and submits documents anytime between Day 1 and Day 10 at 6 pm will receive a determination of their accommodation request on the merits on Day 11 or Day 12. If a client receives a merit denial and does not appeal the merit denial within 48 hours of receipt then the client could receive the 24-hour Individualized Placement notice on Day 13, in which case the client can be moved on Day 14. (In the case of a client submitting documents late in the day on Day 10, if they do not appeal the determination they receive on Day 12 then they could receive a Placement notice on Day 14 and can be moved on Day 15.) If a client receives a merit denial and appeals the merit denial within 48 hours (and by 6 pm two calendar days after receipt) then the client would be moved to a comparable shelter placement. If a client receives a merit approval, they can be moved as early as the following day to a shelter that accommodates their needs, similar to Scenario No. 1, above. Administrative denial, no documents submitted: A client who receives an administrative denial on Day 1 and does not submit documents by Day 10 (by 6 p.m.) can be moved to a congregate shelter setting as early as Day 12. The client would receive the 24-hour Individualized Placement notice on Day 11. Administrative denial, subsequently submits

	<p>documents, but no final decision by the date the hotel is closing: A client will receive a comparable shelter placement.</p> <p>5. Appeals: During the implementation of this plan, the Appeals Committee will increase the number of staff members available from the four divisions that comprise the Appeals Committee. Specifically, the DHS office of Adult Services will have as a minimum three staff available to sit on the Committee, the Department of Social Services (DSS) Office of Disability Affairs will make at least three staff available, the DHS Office of the Medical Director will make at least six staff available, and the DHS Disability Access and Functional Needs office will make at least four coordinators available. Throughout the pendency of the moves out of density hotels and while conducting the "Look Back" plan, the Appeals Committee will shorten its review process to a maximum of 72 hours (for appeals received on Friday and over the weekend) or a maximum of 48 hours (for appeals received Monday through Thursday). Furthermore, the Appeals Committee will meet up to five times each week, as necessary, to process reviews under this time frame.</p> <p>6. Training: DHS will facilitate the training of case managers using the PowerPoint presentation (see Dkt. No. 131-9). The trainings will be delivered using Zoom and Zoom's reporting function will be used to take attendance and track participation for sessions.</p> <p>7. Pre-Move Site-Visits: Five to 10 days before any move, DHS's Housing Emergency Referral Operations (HERO) division will conduct pre-move inspections at the 10 sites that are currently vacant where clients will be moving, to confirm their physical accessibility and readiness to receive clients. The results of these inspections will be recorded, and inspectors will look for ramps, steps, elevators, access to refrigerators, and accessible bathroom features.</p> <p>8. Senior Staff on Site on Moving Day: DHS will have senior staff at both the departing and receiving ends of every move from density hotels for the duration of every move to answer questions and troubleshoot any issues that may arise. Senior staff includes the Deputy Commissioner, Associate Commissioner, or Assistant Commissioner, and/or DHS Program Administrators.</p> <p>9. Maximum Number of Clients Moved Per Day: DHS will conduct all moves on weekdays and move no more than 100 clients a day out of density hotels, for a maximum of 500 clients per week. DHS will move clients out of no more than three hotels in any one day.</p> <p>10. Staffing: DHS has identified additional staff to assist in the implementation of this plan through redeployment, temporary reassignment, and temporary staff hired through contracted vendors.. In particular, DHS's Office of Program Development and Implementation currently includes 12 temporary data entry specialists, six of which have been loaned to the unit by DSS' Office of Reasonable Accommodation. Furthermore, DSS's</p>
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	<p>Customized Assistance Services has six staff members and eight temporarily redeployed nurses and licensed social workers to assist with the unit's workload. DSS' Office of Reasonable Accommodation has also hired seven temporary employees from a vendor. Additional staff will be identified or hired through these methods and assigned as needed between the critical units depending on need. Additionally, non-profit providers may redeploy staff from other sites should that become necessary to support this plan. The office will at a minimum retain these existing staff throughout the moves out of density hotels and while the "Look Back" plan is implemented.</p> <p>11. "Look Back" Plan: For the approximately 5,000 clients moved out of density hotels, even those who were moved after the agreed upon script was implemented, DHS will conduct counseling on reasonable accommodations during their regularly scheduled Independent Living Plan (ILP) meetings. DHS will provide shelter case managers with a script for this purpose and instructions to read the script at their clients' upcoming ILP meeting. DHS will start the "Look Back" Plan 15 days after moves from density hotels resume, or on September 15, 2021, whichever is earlier. The Look Back Plan will be carried out over a 4-week period. The script is as follows: DHS is committed to ensuring that the needs of individuals with disabilities or health conditions are met when assigning shelter placement. DHS is obligated to give certain types of help to make it easier for you to get access to the services you need. This type of help is called a reasonable accommodation. A few examples of the type of accommodations DHS can provide include things like: placement in an accessible unit for someone with limited mobility; diabetic meals for someone who has diabetes; access to a refrigerator for someone who has medication that needs to be kept cold; and placement in a unit with air conditioning for someone who needs that because of a breathing problem or because they take medication that affects their body temperature. If this is true for you, we can help you. Please ask shelter staff for help. You have a right to ask for this kind of help at any time. Do you have any other needs because of a medical condition or physical or mental disability that we should be aware of? To help us verify the type of reasonable accommodation that will meet your needs, you may have to provide us documentation from your medical or mental health provider. We will let you know if we need documents based on the type of accommodation you are requesting. We will give you at least ten days to gather your documents and can help you collect them. If you think you will need help getting the documents, or if you know you will need this help, please sign the HIPAA form. This form gives us permission to talk to your medical or mental health provider only</p>
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		<p>about your request. In some situations, we may not be able to give you this reasonable accommodation until we get and review the documents. DHS may deny your reasonable accommodation request without documentation so please let us know if we can help you. The Clerk of Court is respectfully directed to close the open motion at docket entry 104. SO ORDERED. Motions terminated: <a href="#">104</a> EMERGENCY MOTION to Amend/Correct <i>The Preliminary Injunction</i>. filed by O'Brien Morris, Sandra Butler, New York and Coalition for the Homeless, Richard Emmett, Roselle Diaz, Kevin Faison, Center for Independence of the Disabled, Shaniqua Jackson, Ricky Gibson. (Signed by Judge Valerie E. Caproni on 8/20/2021) (ate) (Entered: 08/20/2021)</p>
08/20/2021	<a href="#">142</a>	<p>TRANSCRIPT of Proceedings re: conference held on 8/5/2021 before Judge Valerie E. Caproni. Court Reporter/Transcriber: Rebecca Forman, (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 9/10/2021. Redacted Transcript Deadline set for 9/20/2021. Release of Transcript Restriction set for 11/18/2021..(Moya, Goretti) (Entered: 08/20/2021)</p>
08/20/2021	<a href="#">143</a>	<p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a hearing proceeding held on 8/5/21 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: 08/20/2021)</p>
08/20/2021	<a href="#">144</a>	<p>TRANSCRIPT of Proceedings re: conference held on 7/30/2021 before Judge Valerie E. Caproni. Court Reporter/Transcriber: Khristine Sellin, (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 9/10/2021. Redacted Transcript Deadline set for 9/20/2021. Release of Transcript Restriction set for 11/18/2021..(Moya, Goretti) (Entered: 08/20/2021)</p>



08/20/2021	<a href="#">145</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 7/30/2021 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: 08/20/2021)
09/02/2021	<a href="#">146</a>	ORDER IMPOSING FILING RESTRICTIONS PURSUANT TO 28 U.S.C. § 1651: IT IS HEREBY ORDERED that Mr. Komatsu is enjoined from filing any documents in cases to which he is not a party unless he complies the following conditions: Any document that Mr. Komatsu seeks to file in a case to which he is not a party must include (1) a copy of this order; and (2) a one-page, double-spaced declaration (the page must have margins of at least 1 inch on both sides and at the top and bottom), submitted under penalty of perjury, stating his legal interest in the matter and why he should be permitted to move to intervene. The one-page document must be titled: "Motion for Leave to File a Motion to Intervene." IT IS FURTHER ORDERED that the Clerk's Office is directed not to docket any document that Mr. Komatsu submits that does not comply with the above conditions and not to return to Mr. Komatsu any document that does not comply with this order. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444--45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). The Clerk of Court is directed to mail a copy of this order to Towaki Komatsu, 802 Fairmount Pl., Apt. 4B, Bronx, NY 10460, and to note the mailing on the docket. SO ORDERED. (Signed by Judge Valerie E. Caproni on 9/02/2021) (ama) Transmission to Docket Assistant Clerk for processing. (Entered: 09/02/2021)
09/03/2021		Mailed a copy of <a href="#">146</a> Order, to Towaki Komatsu, 802 Fairmount Pl., Apt. 4B, Bronx, NY 10460. (dsh) (Entered: 09/03/2021)
09/03/2021	<a href="#">147</a>	TRANSCRIPT of Proceedings re: CONFERENCE held on 8/17/2021 before Judge Valerie E. Caproni. Court Reporter/Transcriber: Sonya Ketter Moore, (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 9/24/2021. Redacted Transcript Deadline set for 10/4/2021. Release of Transcript Restriction set for 12/2/2021..(Moya, Goretti) (Entered: 09/03/2021)
09/03/2021	<a href="#">148</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 8/17/21 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: 09/03/2021)
09/22/2021	<a href="#">149</a>	CONSENT LETTER MOTION for Extension of Time to File <i>Status Update</i> addressed to Judge Valerie E. Caproni from Carolyn Kruk dated September 22, 2021. Document filed by City of New York..(Kruk, Carolyn) (Entered: 09/22/2021)
09/22/2021	<a href="#">150</a>	ORDER granting <a href="#">149</a> Letter Motion for Extension of Time to File. Application GRANTED. SO ORDERED. (Signed by Judge Valerie E. Caproni on 9/22/2021) (tg) (Entered: 09/23/2021)
09/28/2021	<a href="#">151</a>	STATUS REPORT. ( <i>Joint Status Report</i> ) Document filed by Steven Banks, City of New York..(Kruk, Carolyn) (Entered: 09/28/2021)

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