

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DISABILITY RIGHTS NEW YORK,

Plaintiff,

-v-

1:14-CV-744

NORTH COLONIE BOARD OF EDUCATION;
NORTH COLONIE CENTRAL SCHOOLS;
and MR. D. JOSEPH CORR, in his official
capacity as the Superintendent of North
Colonie Central Schools,

Defendants.

APPEARANCES:

DISABILITY RIGHTS NEW YORK
Attorneys for Plaintiff
725 Broadway, Suite 450
Albany, NY 12207

YOUNG/SOMMER LLC
Attorneys for Defendants
Executive Woods
Five Palisades Drive
Albany, NY 12205

DAVID N. HURD
United States District Judge

OF COUNSEL:

JULIE MICHAELS KEEGAN, ESQ.
JENNIFER J. MONTHIE, ESQ.
CLIFF ZUCKER, ESQ.

JOSEPH F. CASTIGLIONE, ESQ.
JESSICA R. VIGARS, ESQ.

ORDER

On June 19, 2014, plaintiff Disability Rights New York ("DRNY") filed a motion seeking a temporary retraining order against defendants North Colonie Board of Education, North Colonie Central Schools, and Mr. D. Joseph Corr (collectively "defendants"). ECF No. 3. Specifically, plaintiff seeks an order restraining defendants from denying DRNY immediate

access to Blue Creek Elementary School to investigate allegations of abuse and/or neglect. Defendants were properly noticed and served, and have submitted opposition papers. ECF No. 6. Oral argument was heard on June 20, 2014, in Utica, New York. Decision was reserved.

Upon review of the written submissions and the arguments asserted on the record in open court, plaintiff has established good cause for the issuance of a temporary restraining order. Plaintiff has established its authority to access Blue Creek Elementary School to conduct a proper investigation and DRNY would suffer irreparable harm absent such an order.

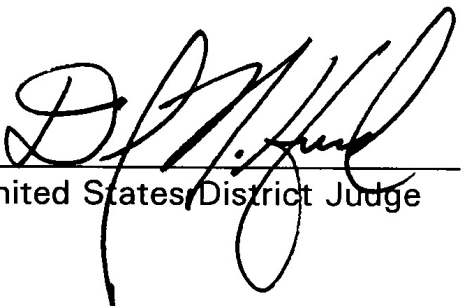
Therefore, it is

ORDERED that

1. Plaintiff DRNY's motion for a temporary restraining order is GRANTED;
2. Defendants are hereby restrained from denying DRNY immediate access to Blue Creek Elementary School when the students are present to permit plaintiff to conduct an investigation into allegations of abuse and/or neglect; and
3. Plaintiff is not required to provide a bond.

IT IS SO ORDERED.

Dated: June 20, 2014
Utica, New York.



United States District Judge