

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

JONAS CABALLERO, on behalf of himself  
and all others similarly situated,

Plaintiff,

-against-

NEW YORK STATE DEPARTMENT OF  
CORRECTIONS AND COMMUNITY  
SUPERVISION,

Defendant.

No. 9:20-CV-1470-DNH-CFH

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the Declaration of Alison Frick and the exhibits attached thereto, the statement of material facts, the accompanying memorandum of law, and all other pleadings and proceedings in this action, Plaintiff, by and through undersigned counsel, will, as soon as counsel may be heard, move this Court for an Order, pursuant to Federal Rules of Civil Procedure 56, granting partial summary judgment for Plaintiff and the certified class on the issue of liability, and for any other relief the Court deems just and proper.

Dated: March 1, 2024  
New York, New York

KAUFMAN LIEB LEBOWITZ  
& FRICK LLP

/s/ Douglas E. Lieb

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*\*Admission to N.D.N.Y. pending*