

January 8, 2024

The Honorable Joan M. Azrack
U.S. District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *LoGerfo v. County of New York, et al.*, 2:17-CV-0010

Dear Judge Azrack:

Disability Rights New York (DRNY) is counsel for Plaintiff in the above-captioned matter. Please accept this letter as the Status Report ordered by Your Honor regarding Plaintiff's Motion for Pre-Motion Conference for Plaintiff's Motion to Compel Compliance with the Stipulation of Settlement.

In Plaintiff's December 18, 2023, letter to the Court (Dkt. 112) I notified the Court of Defendants' failure to comply with the Stipulation of Settlement's requirements that public service announcements about Nassau County's text-to-911 services be published and distributed. On December 27, 2023, counsel for Defendants, Ralph Reissman, filed a letter with the Court (Dkt. 113) which outlined the Defendants' intention to comply with the Stipulation of Settlement at an undisclosed time in the future.

On January 3, 2024, I emailed Mr. Reissman to request an update on the status of the required distribution of the public service announcements. I asked Mr. Reissman to confirm whether the flyer was sent out to school districts, and to confirm whether the flyer had been posted in the required County buildings and on social media. I followed-up via email earlier today. As of the date and time of the filing of this letter Mr. Reissman responded only that he had forwarded my inquiries to the responsible parties, and was waiting for feedback.¹

Defendants have provided no date certain for their compliance, and even if they had they have a demonstrated record of failing to take promised steps regarding text-to-911 absent a Court Order. The steps Defendants have failed to take are as simple as posting a flyer and publishing a social media announcement, yet they remain unable to complete them. Unfortunately, a pre-

¹ As of the date and time of this letter, the public service announcements have not been published on Defendants' social media pages (<https://www.facebook.com/NassauOEM>, <https://twitter.com/NassauCountyOEM>, <https://twitter.com/NassauCountyNY>).



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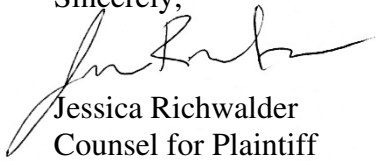
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motion conference on Plaintiff's Motion to Compel Compliance with the Stipulation of Settlement is necessary given Defendants inaction thus far. The practical reality is that Nassau County's continued delay necessitates a Motion to Compel Compliance to ensure that the terms of the Stipulation of Settlement are complied with.

Based on the above, Plaintiff reiterates her request for a Pre-Motion Conference by telephone or video on Plaintiff's Motion to Compel Compliance with the Stipulation of Settlement.

I would be glad to provide any additional information at the Court's request. Thank you for your continued attention to this matter.

Sincerely,



Jessica Richwalder
Counsel for Plaintiff

CC: All counsel via ECF



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