

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DEBORAH LOGERFO,

Plaintiff,

2:17-cv-00010 (JMA) (AYS)

-against-

COUNTY OF NASSAU, NEW YORK;
NASSAU COUNTY OFFICE OF
EMERGENCY MANAGEMENT;

**STIPULATION OF PAYMENT OF
ATTORNEY'S FEES**

Defendants.

Plaintiff Deborah LoGerfo ("Plaintiff) and Defendants County of Nassau, New York and Nassau County Office of Emergency Management (the "Nassau Defendants") (collectively, "Parties"), hereby consent and stipulate as follows:

WHEREAS, In January 2017, Plaintiff filed a complaint in this Court (Case No. 2:17-CV-00010) against the Nassau Defendants alleging that by failing to provide access to 911 emergency services via text message the Nassau Defendants failed to provide effective communication with individuals with hearing and speech disabilities, in violation of Title II of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. § 12101, *et seq.*, and Section 504 of the Rehabilitation Act of 1973 ("Rehab Act"), 29 U.S.C. § 794 ("Action").

WHEREAS, On May 3, 2023, this Court so ordered a Stipulation of Settlement ("Settlement") which fully and finally resolved this action by settlement. (Dkt. 111)

WHEREAS, On December 18, 2023, Plaintiff's attorneys initiated compliance litigation in this action pursuant to the Settlement (Dkt. 111, ¶ 6).

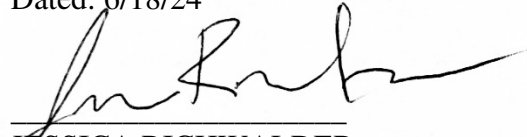
WHEREAS, the Settlement in this action provides that all costs and expenses to litigate compliance will be awarded as though litigated under the Americans with Disabilities Act. (Dkt. 111, ¶ 6(f)).

IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS:

1. Plaintiff was the prevailing party in the compliance litigation in this action that took place between December 18, 2023, and April 17, 2024 (“compliance litigation period”);
2. As the prevailing party, pursuant to the Settlement (Dkt. 111, ¶ 6(f)), Plaintiff is entitled to attorney’s fees for the compliance litigation that took place in this action during the compliance litigation period;
3. Within forty-five (45) days of the SO ORDERED date of this Stipulation, the Nassau Defendants agree to pay Plaintiff’s counsel, Disability Rights New York (“DRNY”), the sum of six thousand, two hundred and seventy dollars (\$6,270.00) (“Stipulation Payment”), for which I.R.S. Forms 1099 shall be issued to DRNY, in full and complete satisfaction of the Nassau Defendants’ responsibilities under the Settlement for the compliance litigation that took place during the compliance litigation period. The Stipulation Payment shall be made by check payable to the order of Disability Rights New York and delivered to 279 Troy Road, Ste. 9, #236, Rensselaer, NY 12144.

For Plaintiff:

Dated: 6/18/24



JESSICA RICHWALDER
Disability Rights New York
279 Troy Road, Ste. 9 #236
Rensselaer, NY 12144
Phone: 518-512-4841
Fax: 585-348-9823 (not for service)

For Defendants:

Dated: June 17, 2024



RALPH J. REISSMAN
Deputy County Attorney
Nassau County Attorney's Office
1 West Street
Mineola, NY 11501
Phone: 516-571-3046
Fax: 516-571-3058

IT IS SO ORDERED.

Dated: _____, 2024

Joan M. Azrack, District Judge
United States District Court