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August 19, 2024

By ECF

Honorable Peggy Kuo
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: David Scott et al. v. United States, No. 19-cv-01075 (ERK)(PK)

Dear Judge Kuo:

Along with co-counsel, this office represents Plaintiffs. We write on behalf of all parties to provide a joint status report pursuant to the Court's June 24, 2024 Order.

The case concerns the week-long events at the Metropolitan Detention Center ("MDC") in Brooklyn, New York in 2019 when the MDC experienced a power outage. The parties entered a Proposed Settlement on August 18, 2023, *see* ECF No. 214, which provided for the offer of a negotiated settlement amount by the United States of America to the approximately 1,600 individuals in the MDC during the 2019 power outage ("Claimants") in exchange for releases of their respective claims ("the Proposed Settlement").

The parties last filed a joint status report on June 21, 2024, ECF No. 222, advising the Court that the threshold acceptance and rejection rates set forth in the Proposed Settlement had been met, *see* ECF No. 214-1 at H(1).

On July 3, 2024, pursuant to Section I of the Proposed Settlement, ECF No. 214-1

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at I, the parties filed a proposed Stipulation and Order seeking (1) decertification of the class and (2) authorization for attorneys' fees, ECF No. 223.

The parties are currently awaiting Judge Korman's response to the joint request to approve the proposed Stipulation and Order submitted on July 3, 2024.

Once the Proposed Settlement is finalized, the United States will make payments to the Claimants, pursuant to the terms and conditions of the settlement agreement. *See* ECF No. 214-1 at J. At that juncture, Plaintiffs Scott and Cerda will dismiss the action.

We thank the Court for its continued attention to this matter.

Respectfully,

/s/ Katherine Rosenfeld
Katherine Rosenfeld

c. All counsel, *via ECF*