

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ZAKUNDA-ZE HANDBERRY, *et al.*,

Plaintiffs,

-against-

WILLIAM C. THOMPSON, *et al.*,

Defendants.

**DEFENDANTS' NOTICE OF
MOTION TO PARTIALLY
TERMINATE PROSPECTIVE
RELIEF**

96 Civ. 6161 (GBD)

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PLEASE TAKE NOTICE that upon the *Third Report on the Status of Education Services for Youth Aged 16-21 at Rikers Island*, revised July 2, 2018, by Special Master Dr. Peter Leone, and the Order dated March 31, 2016, Docket No. 250, filed in *Handberry v. Thompson*, 96 CV 6161, the Defendants,¹ by their attorney Zachary W. Carter, Corporation Counsel of the City of New York (Janice Birnbaum, appearing) will move this Court, at the United States District Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, at a date and time to be determined by the Court, for an order (1) terminating prospective relief in this action pursuant to the Prison Litigation Reform Act, 18 U.S.C. §3626(b) as to (1) the New York City Department of Education; and (2) adolescent inmates (16-17 year olds) in the plaintiff class, and granting City Defendants such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 6.1(b)(2) and (3) of the United States District Court for the Southern District of New York, any

¹ The Defendants are the City of New York ("City") on behalf of its mayoral agency, the New York City Department of Correction ("DOC"), the New York City Board of Education ("BOE") now known as the New York City Department of Education ("DOE"), and a number of former DOC officials and the former members of BOE's board, all sued in their official capacity. These defendants are collectively referred to as the "City Defendants."

opposing affidavits and/or answering memoranda shall be served within fourteen days after service of Defendants' moving papers, and any reply affidavits and/or memoranda of law shall be served within seven days after service of the answering papers.

Dated: New York, New York
September 28, 2018

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