

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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M.G., P.C., C.J., M.J., J.R., D.R., S.D., W.P., and D.H.,  
individually and on behalf of all similarly situated,

Plaintiffs,

-against-

ANDREW CUOMO, in his official capacity as the Governor  
of the State of New York, the NEW YORK STATE OFFICE  
OF MENTAL HEALTH, ANN MARIE T. SULLIVAN, in  
her official capacity as the Commissioner of the New York  
State Office of Mental Health, the NEW YORK STATE  
DEPARTMENT OF CORRECTIONS AND  
COMMUNITY SUPERVISION, ANTHONY J.  
ANNUCCI, in his official capacity as the Acting  
Commissioner of the New York State Department of  
Corrections and Community Supervision, ANNE MARIE  
MCGRATH, in her official capacity as Deputy  
Commissioner of the New York State Department of  
Corrections and Community Supervision,

7:19-cv-639 (CS) (AEK)

Defendants.

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**PLAINTIFFS’ NOTICE OF MOTION FOR CLASS CERTIFICATION**

PLEASE TAKE NOTICE that, upon the Declaration of Crystal Parker and the exhibits attached thereto; the Declaration of Melodie J. Peet, M.P.H. and the exhibit attached thereto; the Declaration of Robert Factor and the exhibit attached thereto; the Declaration of Deborah B. Diamant and the exhibit attached thereto; the Declarations of M.G., P.C., C.J., M.J., D.R., S.D., W.P., D.H., Elizabeth S. Woods, Stefen R. Short, Seth Crider, and David Condliffe; and the accompanying Memorandum of Law, Plaintiffs, by and through their undersigned counsel, hereby move this Court, before the Honorable Cathy Seibel, pursuant to Rules 23(a), 23(b)(2), and 23(g) of the Federal Rules of Civil Procedure for the entry of an Order certifying two classes and a subclass for Plaintiffs’ claims for injunctive and declaratory relief, and appointing Disability

Rights New York, The Legal Aid Society, and Paul, Weiss, Wharton, Rifkind & Garrison LLP as class counsel to the classes and subclass.

Dated: February 8, 2023  
New York, New York

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*/s/ Crystal Parker*

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*Attorneys for Named Plaintiffs and the Proposed  
General Class, RTF Subclass, and Discharge Class*