THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

STEVEN BANKS
Corporation Counsel

David Kaplan
Phone: (212) 356-1175
Dakaplan@law.nyc.gov

BY ECF

July 30, 2026

Re: *Z.S. v. New York City Department of Education et al.*
26-cv-04607

Dear Clerk of the Court:

This office represents Defendants in the above referenced action. I write jointly on behalf of the Parties to provide additional background and clarification regarding the recently filed Complaint in this matter (ECF No. 1). The Parties respectfully request that this letter be forwarded to any Judge reviewing this matter.

Plaintiff brings this matter on behalf of himself, and any similarly situated students in District 75 of the New York City school district, alleging that their complaints of corporal punishment and/or verbal abuse by Department of Education ("DOE") staff were not properly investigated, nor sufficiently resolved, in violation of the Americans with Disabilities Act ("ADA"), Section 504 of the Rehabilitation Act, and the New York City Human Rights Law ("NYCHRL"). Plaintiff was initially an intervenor in *John Doe #1, et al*. v. *New York City Dep't of Educ.*, No. 16-cv-1684, (E.D.N.Y 2018), which is marked related in this case's filing. Defendants deny Plaintiff's allegations and deny any liability in this action.

In an effort to reach settlement in this case and achieve reforms in response to Plaintiff's concerns, the Parties have engaged in settlement negotiations over the course of approximately eight years, during which time the Parties agreed to toll the relevant statute of limitations.

The Parties are pleased to share that settlement has been reached. Plaintiff intends to submit an unopposed motion for preliminary approval of the proposed settlement, including certification of a Rule 23(b)(2) class for settlement purposes only. The settlement agreement includes an extensive schedule of mutually agreed upon reforms in response to concerns raised by Plaintiff in this matter, which have been negotiated between the Parties. The agreed-upon injunctive relief includes additional DOE training relating to investigations of corporal punishment and/or verbal abuse, as well as enhanced procedures for reporting and investigations.

At the Court's direction, the Parties are prepared to implement the settlement and bring this matter to its resolution.

Thank you for the Court's consideration.

Respectfully,

s/ *David Kaplan*
David Kaplan
Assistant Corporation Counsel
New York City Law Department
100 Church Street
New York, NY 10007

Cc: **BY ECF:** All attorneys of record