# **U.S. District Court** Eastern District of New York (Central Islip) CIVIL DOCKET FOR CASE #: 2:07-cv-05202-JS-WDW

Vargas et al v. Town of Smithtown Assigned to: Judge Joanna Seybert

Referred to: Magistrate Judge William D. Wall

Cause: 42:405 Fair Housing Act

Date Filed: 12/13/2007 Date Terminated: 08/28/2009

Jury Demand: Both

Nature of Suit: 443 Civil Rights:

Accomodations

Jurisdiction: Federal Question

## **Mediator**

Lela P. Love

## represented by Lela P. Love

Benjamin Cordozo Law School

55 Fifth Avenue New York, NY 10003 212-790-0365 Fax: 212-790-0256 Email: love@ymail.yu.edu LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### **Plaintiff**

**Corinne Vargas** 

## represented by Nicole Birch

Lawyers' Committee for Civil Rights

Under Law

1401 New York Avenue, Nw

Suite 400

Washington, DC 20005

202-662-8303 Fax: 202-783-5113

Email: nbirch@lawyerscommittee.org

TERMINATED: 10/10/2008

LEAD ATTORNEY PRO HAC VICE

ATTORNEY TO BE NOTICED

## Philip L Graham

Sullivan & Cromwell 125 Broad Street New York, NY 10004 212-558-3842 Fax: 212-558-3588

Email: grahamp@sullcrom.com

LEAD ĂTTORNEY

ATTORNEY TO BE NOTICED

### **Robin Linnett Nunn**

Sullivan & Cromwell LLP 125 Broad Street New York, NY 10004 212-558-4166

Fax: 212-558-3326

Email: nunnr@sullcrom.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### **Stacev Friedman**

Sullivan & Cromwell 125 Broad Street New York, NY 10004 212-558-4000

Fax: 212–558–3588

Email: friedmans@sullcrom.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Tyler Joseph Smith**

United States Attorneys Office Eastern District of New York 271 Cadman Plaza East Brooklyn, NY 11201 718–254–6186 Email: tyler.smith@usdoj.gov LEAD ATTORNEY ATTORNEY TO BE NOTICED

## **Plaintiff**

Kisha Trent

### represented by Nicole Birch

(See above for address)
TERMINATED: 10/10/2008
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

## Philip L Graham

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### **Robin Linnett Nunn**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### **Stacey Friedman**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

### **Tyler Joseph Smith**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

### **Plaintiff**

**Annie Smith** 

#### represented by Nicole Birch

(See above for address)
TERMINATED: 10/10/2008
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

#### Philip L Graham

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Robin Linnett Nunn**

(See above for address) LEAD ATTORNEY ATTORNEY TO BE NOTICED

## **Stacey Friedman**

(See above for address) *LEAD ATTORNEY* 

## **Tyler Joseph Smith**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Plaintiff**

#### R.G.

on behalf of themselves and all others similarly situated

## represented by Nicole Birch

(See above for address)
TERMINATED: 10/10/2008
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

### Philip L Graham

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### **Robin Linnett Nunn**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Stacey Friedman**

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

## **Tyler Joseph Smith**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

## **Defendant**

**Town of Smithtown** 

## represented by Jeltje DeJong

Devitt Spellman Barrett, LLP 50 Route 111 Smithtown, NY 11787

631–724–8833 Fax: 631–724–8010

Email: J.dejong@devittspellmanlaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### David H. Arntsen

Devitt Spellman Barrett, LLP 50 Route 111 Smithtown, NY 11787 631–724–8833 Fax: 631–724–8010

Email: d.arntsen@devittspellmanlaw.com

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/13/2007	1	COMPLAINT ( <i>Receipt # 347207</i> ) against Town of Smithtown \$ 350, filed by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Attachments: # <u>1</u> Civil Cover Sheet) (McMahon, Carol) (Entered: 12/18/2007)

12/12/2007		G
12/13/2007		Summons Issued as to Town of Smithtown. (McMahon, Carol) (Entered: 12/18/2007)
01/02/2008		Case Ineligible for Arbitration (Bollbach, Jean) (Entered: 01/02/2008)
01/02/2008	2	NOTICE of Appearance by Jeltje DeJong on behalf of Town of Smithtown (aty to be noticed) (DeJong, Jeltje) (Entered: 01/02/2008)
01/03/2008	<u>3</u>	STIPULATION extending defendant's time to answer or move to January 17, 2008 by Town of Smithtown (DeJong, Jeltje) (Entered: 01/03/2008)
01/03/2008		ORDER TO ANSWER re <u>3</u> Stipulation filed by Town of Smithtown. The Stipulation is So Ordered. Town of Smithtown answer due 1/17/2008. Ordered by Magistrate Judge William D. Wall on 1/3/08. (Hepworth, F.) (Entered: 01/03/2008)
01/04/2008	<u>4</u>	NOTICE of Appearance by Tyler Joseph Smith on behalf of Corinne Vargas, Kisha Trent, Annie Smith, R.G. (notification declined) (Smith, Tyler) (Entered: 01/04/2008)
01/04/2008	<u>5</u>	NOTICE of Appearance by Robin Linnett Nunn on behalf of Corinne Vargas, Kisha Trent, Annie Smith, R.G. (notification declined) (Nunn, Robin) (Entered: 01/04/2008)
01/10/2008	<u>6</u>	SUMMONS Returned Executed by Corinne Vargas, Kisha Trent, Annie Smith, R.G Town of Smithtown served on 12/14/2007, answer due 1/17/2008. (Nunn, Robin) (Entered: 01/10/2008)
01/11/2008	7	STIPULATION re <u>1</u> Complaint <i>Time to Move or Answer Extended to February 5</i> , 2008 by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Nunn, Robin) (Entered: 01/11/2008)
01/11/2008		ORDER TO ANSWER re 7 Stipulation. The Stipulation is adopted and So Ordered. Town of Smithtown answer due 2/5/2008. Ordered by Magistrate Judge William D. Wall on 1/11/08. (Hepworth, F.) (Entered: 01/11/2008)
02/05/2008	<u>8</u>	ANSWER to 1 Complaint by Town of Smithtown. (DeJong, Jeltje) (Entered: 02/05/2008)
02/07/2008	9	MOTION for Leave to Appear Pro Hac Vice by Robin Nunn on Behalf of Nicole Birch Filing fee \$ 25, receipt number 02070000000002778764. by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Attachments: # 1 Exhibit 1 Affidavit of Robin Nunn in Support of Motion for Admission Pro Hac Vice, # 2 Exhibit 2 Affidavit of Nicole Birch, # 3 Exhibit 3 (Proposed) Order Admitting Nicole Birch Pro Hac Vice, # 4 Exhibit 4 Certificate of Service by Regular Mail) (Nunn, Robin) (Entered: 02/07/2008)
02/07/2008		Email Notification Test – DO NOT REPLY (Mahon, Cinthia) (Entered: 02/07/2008)
02/08/2008		ORDER granting <u>9</u> Motion for Leave for Nicole Birch to Appear pro hac vice, contingent upon her payment of the required fee and registration for ECF. Ordered by Magistrate Judge William D. Wall on 2/8/08. (Hepworth, F.) (Entered: 02/08/2008)
03/03/2008	<u>10</u>	SCHEDULING ORDER: An Initial Conference will be held on April 3, 2008. See attached for additional orders. Any request to adjourn this conference must be filed as a letter motion and must provide alternative dates agreeable to all parties. Ordered by Magistrate Judge William D. Wall on 3/3/08. (Attachments: # 1 WDW Individual Rules) (Hepworth, F.) (Entered: 03/03/2008)
03/19/2008	<u>11</u>	Letter MOTION to Adjourn Conference on consent of all parties by Town of Smithtown. (DeJong, Jeltje) (Entered: 03/19/2008)
03/20/2008		ORDER granting 11 Motion to Adjourn Conference. The Initial Conference scheduled for 4/3/08 is adjourned to 5/2/08 at 10:30 a.m. If the parties believe that a settlement conference would be helpful, they should contact the court. Any request to adjourn the 5/2 conference must be made as a motion, with alternative dates acceptable to all parties set forth. Ordered by Magistrate Judge William D. Wall on 3/20/08. (Hepworth, F.) (Entered: 03/20/2008)
05/01/2008	<u>12</u>	Proposed Scheduling Order by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Nunn, Robin) (Entered: 05/01/2008)
05/02/2008		Minute Entry for proceedings held before Magistrate Judge William D. Wall:Initial Pretrial Conference held on 5/2/2008 (Hepworth, F.) (Entered: 05/02/2008)

05/02/2008	<u>13</u>	ORDER: The court adopts and so orders the parties' proposed scheduling order 12. The pretrial conference will be held on 4/23/09. See attached. Ordered by Magistrate Judge William D. Wall on 5/2/08. (Hepworth, F.) (Entered: 05/02/2008)
07/16/2008	<u>14</u>	STIPULATION of Confidentiality and (Proposed) Protective Order by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Nunn, Robin) (Entered: 07/16/2008)
07/17/2008		PRETRIAL ORDER re <u>14</u> Stipulation filed by Kisha Trent, R.G., Annie Smith, Corinne Vargas. The Stipulation is So Ordered. Ordered by Magistrate Judge William D. Wall on 7/17/08. (Hepworth, F.) (Entered: 07/17/2008)
08/19/2008	<u>15</u>	MOTION to Withdraw as Attorney For Plaintiffs by Nicole Birch by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Birch, Nicole) (Entered: 08/19/2008)
08/21/2008	<u>16</u>	STIPULATION and (Proposed) Scheduling Order by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Nunn, Robin) (Entered: 08/21/2008)
08/22/2008		ORDER re 16 Stipulation filed by Kisha Trent, R.G., Annie Smith, Corinne Vargas. The Stipulation/Proposed Scheduling Order is So Ordered. Ordered by Magistrate Judge William D. Wall on 8/22/08. (Hepworth, F.) (Entered: 08/22/2008)
09/10/2008	<u>17</u>	MEDIATION INSTRUCTIONS sent to Counsel. By 9/24/08, Counsel are to select a Mediator, schedule the first mediation session, and electronically file (ECF) and confirm in writing to the ADR Administrator, Gerald P. Lepp, the name of the mediator, and the date, time, and place of the first mediation session. For a list of the EDNY Mediators and their qualifications, see the Court's website at "www.nyed.uscourts.gov/adr". The Confidentiality Stipulation which is attached to this notice is to be signed at the mediation session by all participants, including the mediators, and sent by FAX (718) 613–2368 to the ADR Administrator. In accordance with Administrative Order 2004–08 (as of August 2, 2004) electronic filing became mandatory in the Eastern District of New York for all cases (pro se cases are excluded). (Luo, Xue) (Entered: 09/10/2008)
09/12/2008	<u>18</u>	STIPULATION Regarding Mediation and (Proposed) Order by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Nunn, Robin) (Entered: 09/12/2008)
09/15/2008		PRETRIAL ORDER re 18 Stipulation filed by Kisha Trent, R.G., Annie Smith, Corinne Vargas. The terms of the Stipulation are so ordered, to the extent that they do not conflict with any requirements of the mediatior. Ordered by Magistrate Judge William D. Wall on 9/15/08. (Hepworth, F.) (Entered: 09/15/2008)
09/15/2008		ORDER REFERRING CASE to Mediation on consent. Selection of Mediator due by 10/2/2008. Ordered by Magistrate Judge William D. Wall on 9/15/08. (Talbott, Thomas) (Entered: 09/15/2008)
09/15/2008	<u>19</u>	MEDIATION INSTRUCTIONS sent to Counsel. Attached is Letter of Instructions. By 9/30/08, Counsel are to select a Mediator, schedule the first mediation session, and electronically file (ECF) and confirm in writing to the ADR Administrator, Gerald P. Lepp, the name of the mediator, and the date, time, and place of the first mediation session. For a list of the EDNY Mediators and their qualifications, see the Court's website at "www.nyed.uscourts.gov/adr". The Confidentiality Stipulation which is attached to this notice is to be signed at the mediation session by all participants, including the mediators, and sent by FAX (718) 613–2368 to the ADR Administrator. In accordance with Administrative Order 2004–08 (as of August 2, 2004) electronic filing became mandatory in the Eastern District of New York for all cases (pro se cases are excluded). (Luo, Xue) (Entered: 09/15/2008)
09/23/2008	<u>20</u>	First MOTION to Compel <i>Compliance with Court's August 22 Order and Scheduling of 30(b)(6) Deposition</i> by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Attachments: # 1 Exhibit 1 to 5) (Smith, Tyler) (Entered: 09/23/2008)
09/25/2008	21	RESPONSE in Opposition re <u>20</u> First MOTION to Compel <i>Compliance with Court's August 22 Order and Scheduling of 30(b)(6) Deposition</i> filed by Town of Smithtown. (DeJong, Jeltje) (Entered: 09/25/2008)
10/02/2008	<u>22</u>	Letter <i>Mediator Selection</i> by Corinne Vargas, Kisha Trent, Annie Smith, R.G., Town of Smithtown (Nunn, Robin) (Entered: 10/02/2008)
09/15/2008 09/23/2008 09/25/2008	20 21	not conflict with any requirements of the mediatior. Ordered by Magistrate Judge William D. Wall on 9/15/08. (Hepworth, F.) (Entered: 09/15/2008)  ORDER REFERRING CASE to Mediation on consent. Selection of Mediator due by 10/2/2008. Ordered by Magistrate Judge William D. Wall on 9/15/08. (Talbott, Thomas) (Entered: 09/15/2008)  MEDIATION INSTRUCTIONS sent to Counsel. Attached is Letter of Instructions. By 9/30/08, Counsel are to select a Mediator, schedule the first mediation session, a electronically file (ECF) and confirm in writing to the ADR Administrator, Gerald I Lepp, the name of the mediator, and the date, time, and place of the first mediation session. For a list of the EDNY Mediators and their qualifications, see the Court's website at "www.nyed.uscourts.gov/adr". The Confidentiality Stipulation which is attached to this notice is to be signed at the mediation session by all participants, including the mediators, and sent by FAX (718) 613–2368 to the ADR Administration accordance with Administrative Order 2004–08 (as of August 2, 2004) electronic filing became mandatory in the Eastern District of New York for all cases (pro se care excluded). (Luo, Xue) (Entered: 09/15/2008)  First MOTION to Compel Compliance with Court's August 22 Order and Schedulin of 30(b)(6) Deposition by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Attachments: # 1 Exhibit 1 to 5) (Smith, Tyler) (Entered: 09/23/2008)  RESPONSE in Opposition re 20 First MOTION to Compel Compliance with Court August 22 Order and Scheduling of 30(b)(6) Deposition filed by Town of Smithtow (DeJong, Jeltje) (Entered: 09/25/2008)

10/08/2008		ORDER re <u>20</u> First MOTION to Compel <i>Compliance with Court's August 22 Order and Scheduling of 30(b)(6) Deposition</i> filed by Kisha Trent, R.G., Annie Smith, Corinne Vargas. Oral argument will be heard on October 23, 2008 at 1:30 p.m. Ordered by Magistrate Judge William D. Wall on 10/8/08. (Hepworth, F.) (Entered: 10/08/2008)
10/09/2008	<u>23</u>	MOTION for Extension of Time to Complete Discovery, MOTION to Adjourn Conference by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Nunn, Robin) (Entered: 10/09/2008)
10/10/2008		ORDER granting 23 Motion for Extension of Time to Complete Discovery; granting 23 Motion to Adjourn Conference; granting 15 Motion to Withdraw as Attorney. Attorney Nicole Birch terminated; withdrawing 20 Motion to Compel. The court adopts and So Orders the Proposed Stipulation and Order. The pretrial conference scheduled for 4/23/09 id adjourned to 6/22/09 at 2:00 p.m. The oral argument scheduled for 10/23/08 is cancelled, inasmuch as the plaintiff has deemed the motion withdrawn pursuant to the stipulation. Ordered by Magistrate Judge William D. Wall on 10/10/08. (Hepworth, F.) (Entered: 10/10/2008)
10/15/2008		MEDIATION INSTRUCTIONS sent to Counsel. The first mediation session is to be held on November 20, 2008. The Mediator and Counsel are to select a place for the mediation session and inform the ADR Administrator, Gerald P. Lepp. Tel: (718)613–2577, Fax: (718)613–2368, Email: gerald_p_lepp@nyed.uscourts.gov. (Luo, Xue) (Entered: 10/15/2008)
10/17/2008	<u>24</u>	SELECTION OF MEDIATOR Lela P. Love rep by Lela P. Love has been selected as Mediator. The first mediation session will be held on 11/20/2008 at 10:00 a.m. at 125 Broad Street, New York. One week before the first mediation session, Counsel shall file with the Mediator their clients mediation statement summarizing the facts, legal issues, particulars of any prior settlement discussions, and the name and title of the client or client representative with full settlement authority who will attend the mediation in person. Attendance in person is required of the trial attorney, insurance adjustor, and client or client representative with full settlement authority. The Confidentiality Stipulation which is attached to this electronic notice will be signed at the mediation session by all participants and the Mediator and returned to the ADR Administrator, Gerald P. Lepp, by fax (718) 613–2368. Contact information for the Mediator: Lela P. Love, Benjamin Cordozo Law School, 55 Fifth Avenue, New York, NY 10003, Phone: 212–790–0365, Fax: 212–790–0256, E–Mail: love@ymail.yu.edu. Report of Mediation due by 1/18/2009. (Luo, Xue) (Entered: 10/17/2008)
10/17/2008	<u>25</u>	MOTION for Leave to Appear Pro Hac Vice <i>Karlo Ng</i> Filing fee \$ 25, receipt number 0207000000003193740. by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Nunn, Robin) (Entered: 10/17/2008)
10/17/2008	<u>26</u>	MOTION for Leave to Appear Pro Hac Vice <i>Joseph D. Rich</i> Filing fee \$ 25, receipt number 02070000000003193756. by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Nunn, Robin) (Entered: 10/17/2008)
10/20/2008		ORDER granting <u>25</u> Motion for Leave for Karlo Ng to Appear pro hac vice, contingent upon her payment of the required fee and registration for ECF. Ordered by Magistrate Judge William D. Wall on 10/20/08. (Hepworth, F.) (Entered: 10/20/2008)
10/20/2008		ORDER granting <u>26</u> Motion for Leave for Joseph D. Rich to Appear pro hac vice, contingent upon his payment of the required fee and registration for ECF. Ordered by Magistrate Judge William D. Wall on 10/20/08. (Hepworth, F.) (Entered: 10/20/2008)
12/22/2008	<u>27</u>	Letter <i>Re: Status of Case Following Mediation</i> by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Nunn, Robin) (Entered: 12/22/2008)
01/09/2009	<u>28</u>	Letter <i>Updating the Court on the Status of the Case</i> by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Nunn, Robin) (Entered: 01/09/2009)
01/27/2009	<u>29</u>	Letter status by Town of Smithtown (Arntsen, David) (Entered: 01/27/2009)
02/06/2009	30	Letter status by Town of Smithtown (Arntsen, David) (Entered: 02/06/2009)
03/04/2009	31	STIPULATION of Settlement and Consent Decree by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4

		Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G) (Nunn, Robin) (Entered: 03/04/2009)
03/05/2009	<u>32</u>	Letter Transmitting Courtesy Copy of (Proposed) Preliminary Order For Approval of Settlement of Class Action by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Attachments: # 1 Proposed Order) (Nunn, Robin) (Entered: 03/05/2009)
03/27/2009	<u>33</u>	NOTICE of Hearing: Settlement Conference (for preliminary approval of class action settlement) set for 4/23/2009 at 2:00pm in Courtroom 1030 before Judge Joanna Seybert. (Baran, Charles) (Entered: 03/27/2009)
05/06/2009	<u>34</u>	MOTION to Certify Class, Preliminarily Approve the Class Action Settlement and Approve the Form and Manner of Notice and Plan of Allocation by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Nunn, Robin) (Entered: 05/06/2009)
05/06/2009	<u>35</u>	MEMORANDUM in Support re <u>34</u> MOTION to Certify Class, <i>Preliminarily Approve the Class Action Settlement and Approve the Form and Manner of Notice and Plan of Allocation</i> filed by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Nunn, Robin) (Entered: 05/06/2009)
05/06/2009	<u>36</u>	AFFIDAVIT/DECLARATION in Support re 34 MOTION to Certify Class, Preliminarily Approve the Class Action Settlement and Approve the Form and Manner of Notice and Plan of Allocation filed by Corinne Vargas, Kisha Trent, Annie Smith. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E) (Nunn, Robin) (Entered: 05/06/2009)
05/12/2009	<u>37</u>	NOTICE of Hearing: Settlement Conference (for preliminary approval of class action settlement) set for 6/9/2009 at 2:00pm in Courtroom 1030 before Judge Joanna Seybert. (Baran, Charles) (Entered: 05/12/2009)
06/08/2009	<u>38</u>	MOTION to Adjourn Conference <i>Currently Set for June 9, 2009 to a Date After June 15, 2009 – On Consent</i> by Corinne Vargas, Kisha Trent, Annie Smith, R.G (Nunn, Robin) (Entered: 06/08/2009)
06/08/2009		ORDER granting <u>38</u> Motion to Adjourn Conference. Ordered by Judge Joanna Seybert on 6/8/2009. (Baran, Charles) (Entered: 06/08/2009)
06/08/2009		Set/Reset Hearings: Settlement Conference (for preliminary approval of class action settlement) set for 6/16/2009 at 2:00pm in Courtroom 1030 before Judge Joanna Seybert. (Baran, Charles) (Entered: 06/08/2009)
06/09/2009	<u>39</u>	Letter MOTION to Adjourn Conference by Town of Smithtown. (Arntsen, David) (Entered: 06/09/2009)
06/10/2009		ORDER granting <u>39</u> Motion to Adjourn Conference. Ordered by Judge Joanna Seybert on 6/10/2009. (Baran, Charles) (Entered: 06/10/2009)
06/10/2009		Set/Reset Hearings: Settlement Conference (for preliminary approval of class action settlement) set for 6/29/2009 at 2:00pm in Courtroom 1030 before Judge Joanna Seybert. (Baran, Charles) (Entered: 06/10/2009)
06/16/2009		ORDER In light of the pending proceedings before Judge Seybert, the conference before Judge Wall scheduled for 6/22 is adjourned without date. Ordered by Magistrate Judge William D. Wall on 6/16/2009. (Hepworth, F.) (Entered: 06/16/2009)
06/29/2009	<u>40</u>	Minute Order for proceedings held before Judge Joanna Seybert: Settlement Conference (Preliminary Class Action Approval Hearing) held on 6/29/2009; granting 34 Motion for preliminary approval of Class action settlement. Plaintiffs to submit proposed order which includes revisions directed by the Court. Settlement Conference (Final Approval Hearing) set for 8/28/2009 at 10:00am in Courtroom 1030 before Judge Joanna Seybert. (Court Reporter S. Picozzi) (Baran, Charles) (Entered: 06/29/2009)
06/30/2009	<u>41</u>	Letter Submitting Revised Preliminary Order and Notice of Pendency by Corinne Vargas, Kisha Trent, Annie Smith, R.G. (Attachments: # 1 Exhibit A – (Revised) Preliminary Order for Approval of Settlement of Class Action, # 2 Exhibit B – Notice of Pendency of Class Action and Proposed Settlement of Class Action and Settlement Hearing) (Nunn, Robin) (Entered: 06/30/2009)

07/01/2009	<u>42</u>	PRELIMINARY ORDER FOR APPROVAL OF SETTLEMENT OF CLASS ACTION – IT IS HEREBY ORDERED this 1st day of July 2009, that: (1) The Court preliminary approves a settlement class of all African–American and Hispanic individuals who do not live or work in Smithtown, New York and who applied to the Smithtown Section 8 Voucher Program in 2002 or 2006 when the wait list was opened and who subsequently were or would have been determined not eligible for the Program because they did not live or work in Smithtown. (2) A hearing (the "Settlement Hearing") shall be held on August 28, 2009 at 10:00 a.m., in the District Court for the Eastern District of New York, Long Island Courthouse to determine whether the Settlement should be approved by the Court as fair, reasonable, adequate and in the best interests of Pltffs in the Action and all members of the Class. See Order for additional details. Ordered by Judge Joanna Seybert on 7/1/09. C/ECF (Valle, Christine) (Entered: 07/02/2009)
07/01/2009	<u>43</u>	NOTICE OF PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT OF CLASS ACTION AND SETTLEMENT HEARING – A Proposed Settlement and Fairness Hearing is scheduled for 8/28/09 at 10:00AM. BY ORDER OF THE COURT dated 7/1/09. (Valle, Christine) (Entered: 07/02/2009)
08/04/2009	<u>44</u>	Letter from Juliette Johnson as potential class member. (Brienza, Lauren) (Entered: 08/20/2009)
08/12/2009	<u>47</u>	Letter from Louis San Juan to Clerk of Court undated Re: 8/28/09 Fairness Hearing. (Valle, Christine) (Entered: 08/27/2009)
08/24/2009	<u>45</u>	AFFIDAVIT/AFFIRMATION by Town of Smithtown (Arntsen, David) (Entered: 08/24/2009)
08/25/2009	<u>46</u>	MOTION for Settlement by R.G., Annie Smith, Kisha Trent, Corinne Vargas. (Attachments: # 1 Affidavit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Memorandum in Support, # 10 Affidavit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Affidavit, # 18 Exhibit, # 19 Exhibit, # 20 Memorandum in Support) (Nunn, Robin) (Entered: 08/25/2009)
08/28/2009	<u>48</u>	Minute Entry for proceedings held before Judge Joanna Seybert:Settlement Conference/Final Approval Hearing held on 8/28/2009. Appearances: For plaintiffs: Robin Nunn, Karlo Ng, Tyler Smith. For defendants: David Arntsen, Charles Borghardt, Jeltje de Jong. Also present: Elaine Leanard from Town of Smithtown. Settlement approved as stated on record. Attorney fees approved as stated on record. Settlement order issued to parties following conference. (Court Reporter Dominick Tursi.) (Ryan, Mary) (Entered: 08/28/2009)
08/28/2009	<u>49</u>	ORDER AND FINAL JUDGMENT in favor of R.G., Annie Smith, Corinne Vargas, Kisha Trent against Town of Smithtown; Application GRANTED. The Clerk of Court is directed to mark this matter closed. Ordered by Judge Joanna Seybert on 8/28/09. C/ECF (Valle, Christine) (Entered: 08/28/2009)
03/26/2010	<u>50</u>	STATUS REPORT <i>Compliance Report</i> by Town of Smithtown (Arntsen, David) (Entered: 03/26/2010)
09/27/2011	<u>51</u>	Letter <i>Pursuant to the Order and Final Judgment dated August 28</i> , 2009 by R.G., Annie Smith, Kisha Trent, Corinne Vargas (Attachments: # 1 Exhibit A – Declaration Of Michael Rosenbaum, # 2 Exhibit B – Smithtown Settlement Chart, # 3 Exhibit C – Declaration of Joseph D. Rich) (Nunn, Robin) (Entered: 09/27/2011)