



U.S. Department of Justice

United States Attorney
Southern District of New York
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86 Chambers Street
New York, New York 10007

June 11, 2013

BY HAND DELIVERY

Hon. Kenneth M. Karas
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, New York 10601-4150

Re: United States of America v. Burgundy Gardens, LLC, 10 Civ. 9099 (KMK)

Dear Judge Karas:

We write respectfully on behalf of the parties, and pursuant to the Consent Decree entered by the Court on April 16, 2012, in the above-referenced action, to request that the Court issue an order directing Defendant to distribute to identified organizations, the remaining balance of the fund created by Defendant for the purpose of compensating persons whom the Court determines may have been harmed by Defendant's discriminatory rental practices (the "Settlement Fund").

Pursuant to paragraph 18 of the Consent Decree, in or about August 2012, Defendant created the Settlement Fund by depositing \$150,000 into an interest-bearing escrow account. Pursuant to paragraph 26 of the Consent Decree, on April 9, 2013, the Government submitted its final recommendations to the Court that one aggrieved person (the "Victim") should be compensated for damages she sustained by Defendant's discriminatory rental practices, and on April 29, 2013, the Court entered an order requiring that the Victim be paid \$85,000.00 from the Settlement Fund. On or about May 17, 2013, the Victim signed a release of claims, pursuant to paragraph 28 of the Consent Decree, and received a check from the Settlement Fund for \$85,000.00. The Settlement Fund continues to contain approximately \$65,055.20.

Because money remains in the Settlement Fund after the requirements of paragraphs 18 through 28 of the Consent Decree have been satisfied and the corresponding time periods have expired, and pursuant to paragraph 29 of the Consent Decree, any money remaining in the Settlement Fund, including interest, shall be distributed to qualified organizations for the purpose of conducting fair housing enforcement or educational activities in Rockland County. Defendant proposes that, and the Government does not object to, fifty percent of the money remaining in the Settlement Fund being distributed to Legal Aid Society of Rockland County and fifty percent

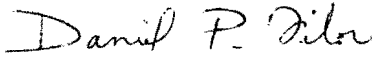
being distributed to New York Legal Assistance Group (“NYLAG”) and designated to one of NYLAG’s seven main units that deliver direct legal services to clients.

Pursuant to paragraph 29 of the Consent Decree, the parties must obtain the Court’s approval prior to distributing any of the Settlement Fund’s remaining assets. Accordingly, the parties request that the Court So Order the enclosed proposed Fund Payment Order directing Defendant to distribute fifty percent of the money remaining in the Settlement Fund, *i.e.*, \$32,527.60, to Legal Aid Society of Rockland County, and fifty percent, *i.e.*, \$32,527.60, to NYLAG and designated to one of NYLAG’s seven main units that deliver direct legal services to clients.

Thank you for your consideration of this matter.

Respectfully submitted,

PREET BHARARA
United States Attorney

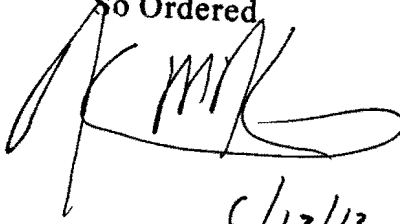
By: 

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Encl.

cc: Laurent Drogin, Esq. (by email)
Counsel for Burgundy Gardens, LLC

**The Clerk of the Court
is respectfully requested
to docket this letter.**

So Ordered,

6/13/13