

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STEVEN SCAGGS, *infant by mother and natural guardian* Lavonia Scaggs, et al.

Plaintiffs,

- against -

ORDER
06-CV-799 (RRM) (WDW)

NEW YORK STATE DEPARTMENT OF
EDUCATION, et al.,

Defendants.

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MAUSKOPF, United States District Judge.

Plaintiffs in this action were, at the time of the actions underlying this litigation, minor school children at the defendant Riverhead Charter School. The complaint alleges that defendants deprived plaintiffs of their right to a free public education by, *inter alia*, failing to identify students with learning disabilities and/or special educational needs, failing to provide appropriate educational services, programs, or plans, and failing to provide plaintiffs with an adequate learning environment. *See* Compl., Docket Entry (“DE”) [106]. After the completion of discovery and the dismissal of several plaintiffs for failure to participate in discovery, the parties agreed to a settlement of the claims of the remaining ten plaintiffs. On January 4, 2011, plaintiffs moved for court approval of the proposed settlements and to seal the record, *see* DE[220] through [229] inclusive. Those motions were referred to Magistrate Judge William D. Wall for a report and recommendation.

On June 16, 2011, the Magistrate Judge issued his report and recommendation, *see* DE [235], recommending that all infant compromise motions be approved with the exception of that relating to plaintiff Tyasia Lee, *see* DE [221], who reached the age of majority subsequent to settling and seeking compromise. *See* Letter, DE [230]. The Magistrate Judge ordered that,

pursuant to Rule 72(b), any objection to the report and recommendation must be filed by July 5, 2011. No party has filed an objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the report and recommendation for clear error and, finding none, adopts it in its entirety.

See Covey v. Simonton, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, it is hereby

ORDERED that the infant compromise order regarding plaintiffs Andre Lee, Jr., DE [220], Kayleigh Martin, DE [222], Jack Zappasodi, DE [223], James Jackson, DE [224], Kashaun Boynton, DE [225], Maleik Boynton, DE [226], Tallia Arnon, DE [227], Tarell Arnon, DE [228], and Steven Scaggs, DE [229] are APPROVED. Each order of compromise relating to these plaintiffs will be signed by the Court and separately docketed; and it is

FURTHER ORDERED that the motion to approve the compromise order as to plaintiff Tyasia Lee, who has reached the age of eighteen, is DENIED AS MOOT. By July 22, 2011, the parties shall file an appropriate stipulation of settlement/dismissal reflecting the resolution of all claims relating to plaintiff Tyasia Lee; and it is

FURTHER ORDERED that the motion to seal all infant compromise orders is DENIED.

The Clerk of Court is directed to close the file.

SO ORDERED.

Dated: Brooklyn, New York
July 7, 2011

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge