

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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ELSA GULINO, ET AL.,

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>7/15/2022</u>

Plaintiffs,

-against-

96-CV-8414 (KMW)

THE BOARD OF EDUCATION OF THE
CITY SCHOOL DISTRICT OF THE CITY
OF NEW YORK,

ORDER

Defendant.

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KIMBA M. WOOD, United States District Judge:

On May 20, 2014, this case was referred to Special Master John S. Siffert pursuant to Federal Rule of Civil Procedure 53(a)(1)(B) and this Court's inherent equitable powers and authority. (ECF Nos. 435, 524.) On November 26, 2021, Special Master Siffert filed a Report and Recommendation (the "November 2021 R&R") regarding a cohort of claimants whose damages awards were reduced to proposed judgments and submitted to the Special Master in November 2021 (the "November 2021 Cohort"), as listed in Exhibit 1 of the November 2021 R&R. (ECF No. 9377.) The Special Master recommended that this Court adopt the Proposed Findings of Fact and Conclusions of Law for each claimant in the November 2021 Cohort, found in Exhibit 2 and Exhibit 3 to the November 2021 R&R; direct entry of the Proposed Judgments for those claimants, also contained in Exhibit 2 and Exhibit 3 to the November 2021 R&R; and certify those Proposed Judgments as final and appealable pursuant to Federal Rule of Civil Procedure 54(b). (*Id.*)

On March 8, 2022, Special Master Siffert filed a Report and Recommendation (the "March 2022 R&R") regarding a cohort of claimants whose damages awards were reduced to

proposed judgments and submitted to the Special Master in February 2022 (the “February 2022 Cohort”), as listed in Exhibit 1 of the March 2022 R&R. (ECF No. 9791.) The Special Master recommended that this Court adopt the Proposed Findings of Fact and Conclusions of Law for each claimant in the February 2022 Cohort, found in Exhibit 2 to the March 2022 R&R; direct entry of the Proposed Judgments for those claimants, also contained in Exhibit 2 to the March 2022 R&R; and certify those Proposed Judgments as final and appealable pursuant to Federal Rule of Civil Procedure 54(b). (*Id.*)

The Clerk of Court entered judgments for the November 2021 Cohort on December 6, 2021 and for the February 2022 Cohort on March 15, 2022. For the reasons set forth in the November 2021 R&R and March 2022 R&R, the Court expressly determined that there was no just reason for delay and certified the judgments as final and appealable pursuant to Federal Rule of Civil Procedure 54(b).

The parties agree that objections that have been preserved in the record do not need to be resubmitted to the Court in connection with the November 2021 R&R or the March 2022 R&R. The parties further agree that the Court may adopt or reject the R&Rs on the basis of the arguments and objections to rulings contained in the record.

As set forth in the Second Amended Order of Appointment and consistent with Federal Rule of Civil Procedure 53(f), the Court reviews *de novo* all objections to conclusions of law and findings of fact made or recommended by the Special Master. (ECF No. 524.) Upon *de novo* review of the November 2021 R&R and March 2022 R&R, as well as the Findings of Fact and Conclusions of Law—and after reviewing the previous Interim Reports and Recommendations

that this Court has already adopted—the Court adopts the Special Master’s November 2021 R&R and March 2022 R&R in their entirety.

SO ORDERED.

Dated: New York, New York
July 15, 2022

/s/ Kimba M. Wood

KIMBA M. WOOD
United States District Judge