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Schoolcraft v. The City Of New York et al

Doc. 663

Honorable Robert W. Sweet
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

*Schoolcraft v. The City of New York, et al.,
10-cv-6005 (RWS)*

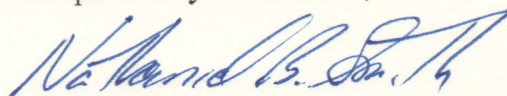
Dear Judge Sweet:

As one of plaintiff's counsel, I am writing to set forth the plaintiff's position on the request by the City of New York to modify the Consent Decree recently entered by the Court.

The terms of the Consent Decree were read into the record by me in open court when the Medical Defendants and the plaintiff entered into a settlement in principal on November 3, 2015. A minute entry for that date appears on the docket sheet but no transcript has been prepared or filed. Previously, a Judgment pursuant to Rule 68 had been entered on October 16, 2015 against the City of New York, and at the time of the settlement with the Medical Defendants, the City was no longer involved in the merits of the action as a party. As the final papers terminating various parties we being filed with the Court, I filed the proposed Consent Decree with the Court using the same language that had been previously read into the record and agreed upon by the plaintiff and the Medical Defendants.

Under these circumstances, we do not see any reason why the Consent Decree needs to be modified. The City was not a party at the time and it has not identified any part of the Consent Decree that it contends is incorrect.

Respectfully submitted,


Nathaniel B. Smith

By ECF
cc: all Counsel by ECF