

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 02/24/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
SANDRA BUTLER; RICKY GIBSON; O’BRIEN
MORRIS; RICHARD EMMETT; ROSELLE DIAZ;
KEVIN FAISON; SHANIQUA JACKSON; CENTER
FOR INDEPENDENCE OF THE DISABLED, NEW
YORK AND COALITION FOR THE HOMELESS,

**ADDENDUM TO THE
ORDER OF APPOINTMENT**

Plaintiffs, for
themselves and on behalf of all others similarly situated,

15-CV-3783 (VEC)

-against-

CITY OF NEW YORK, THE NEW YORK CITY
DEPARTMENT OF HOMELESS SERVICES and
STEVEN BANKS, as Commissioner of the New York City
Department of Homeless Services,

Defendants.

----- x

WHEREAS the parties in the above action have entered into a settlement agreement so-ordered on July 7, 2017 (Dkt. No. 55) on the issue of liability;

WHEREAS, pursuant to paragraph 51 of the settlement agreement, the New York City Department of Homeless Services (“DHS”) is to “identify and take steps to retain an independent consultant (or consultants) to conduct a phased survey of selected shelters, facilities, or portions therein of the DHS Shelter System to identify barriers to physical and program access” and “to identify for each shelter, facility, or portion therein surveyed, specific remediation with cost estimates,”

WHEREAS, the consultant is also to perform other duties under the settlement agreement;

WHEREAS DHS has identified Steven Winter Associates, Inc. (“Steven Winter Associates” or “SWA”) as its consultant pursuant to paragraph 51 of the settlement agreement;

WHEREAS Plaintiffs' counsel has interviewed Steven Winter Associates, and consents to DHS' identification of Steven Winter Associates as DHS' consultant pursuant to paragraph 51 of the settlement agreement;

WHEREAS, the parties jointly submitted an order of appointment of Steven Winter Associates as DHS' consultant pursuant to paragraph 51 of the settlement agreement, which was ordered by the Court (Dkt. No. 68); and

WHEREAS, DHS received notice of compensation and payment increase from SWA, and now seeks Court approval for the proposed increases as required by the Order of Appointment (Dkt. No. 68) ¶ 2

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

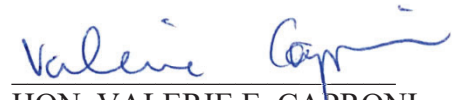
1. The fee schedule in the Order of Appointment (Dkt. No. 68) is replaced with SWA's current fee schedule indicated below:

\$450 Executive Management II
\$400 Executive Management I
\$350 Program Manager/Key Professional IV
\$300 Program Manager/Key Professional III
\$275 Program Manager/Key Professional II
\$250 Program Manager/Key Professional I
\$225 Senior Engineer/Architect/Technical Consultant IV
\$200 Senior Engineer/Architect/Technical Consultant III
\$175 Senior Engineer/Architect/Technical Consultant II
\$150 Senior Engineer/Architect/Technical Consultant I
\$125 Engineer/Architect/Technical Consultant IV
\$110 Engineer/Architect/Technical Consultant III
\$100 Engineer/Architect/Technical Consultant II
\$85 Engineer/Architect/Technical Consultant I

Effective immediately, rates for SWA Team members are as follows:

Peter A. Stratton	\$400
Jeff Heitert	\$300
Theresa D'Andrea	\$200
Luke Polihrom	\$125
Noelle Piontek	\$125

Dated: New York, New York
February 24, 2022

A handwritten signature in blue ink, reading "Valerie Caproni". The signature is written in a cursive style with a horizontal line underneath the name.

HON. VALERIE E. CAPRONI
UNITED STATES DISTRICT JUDGE