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THE CITY OF NEW YORK
LAW DEPARTMENT

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October 16, 2020

VIA ECF

Barbara C. Moses, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl Street,
New York, NY 10007

MEMO ENDORSED

Re: Anika Edrei, et al. v. City of New York, et al.,
16 Civ. 1652 (JMF) (BCM)

Your Honor:

I am one of the attorneys assigned to the defense of the above-referenced matter. I write on behalf of all parties in the above-referenced matter in order to request that the Court adjourn the settlement conference presently scheduled for Tuesday October 20, 2020 at 2:00 p.m. for 75 days, to a date convenient to the Court after January 3, 2021.

This request, if granted, will enable the parties additional time to reduce the parties' agreements in principle as to equitable relief to writing and attempt to resolve the sole remaining issue in the potential settlement of this litigation: settlement of plaintiffs' attorneys' fees, costs, and expenses. As the Court may recall, in the last settlement conference on August 18, 2020, the parties agreed on an award for plaintiffs' damages, contingent on the parties' successfully negotiating terms regarding equitable relief and plaintiffs' attorneys' fees, costs, and expenses. Additionally, as the parties noted in their confidential *ex parte* status report to the Court submitted on October 13, 2020, they have recently resolved the issue of equitable relief in this matter verbally, and are in the process of reducing their agreements to a written stipulation. The parties plan to use this time to draft that stipulation and attempt to resolve this final issue of attorneys' fees without unnecessarily burdening the Court's calendar. The requested 2.5 month adjournment is necessary because, once plaintiffs' counsel disclose their invoices for their attorneys' fees, costs, and expenses through the present by next week, defendants will need time to analyze them and then seek appropriate authority, and the parties will then need additional

time to make their best efforts to come to an agreement, if possible, on their own. The parties are optimistic, however, that this can all be accomplished in the next 2.5 months.¹

Thank you for your consideration and assistance throughout this settlement process.

Respectfully Submitted,

Peter W. Brocker /s//

Peter W. Brocker, Esq.
Assistant Corporation Counsel

cc: All Counsel of Record (via ECF)

Application GRANTED. The settlement conference currently scheduled for October 20, 2020, at 2:00 p.m. is hereby ADJOURNED to **January 11, 2021 at 2:00 p.m.** The parties shall submit their joint confidential settlement letter, as directed in the Court's August 19 Order Continuing Settlement Conference (Dkt. No. 123) no later than January 4, 2021. SO ORDERED.



Barbara Moses, U.S.M.J.
October 16, 2020

¹ Due to the scheduling impact of Thanksgiving, religious holidays, and the New Year, the parties anticipate some delay and as a result requested that any conference be set for a date in the new year.