

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC# _____
DATE FILED: 1-9-2020

ANNA DENICOLO,

Plaintiff,

16-cv-7416 (JGK)

- against -

ORDER

BOARD OF EDUCATION OF NEW YORK, ET
AL.,

Defendants.

JOHN G. KOELTL, District Judge:

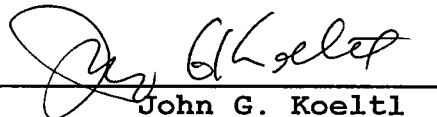
The court has received the attached letter from the plaintiff. The letter raises two issues:

First, the plaintiff seeks to correct an alleged error in a transcript in this case from June 24, 2019. The court reporter's responsibility is to prepare the transcript to the best of the reporter's ability. The certification by the court reporter attests that the court reporter has done that. There are procedures to correct transcripts. The plaintiff indicates that she first raised a question about the transcript by a letter dated November 12, 2019, which appears to be somewhat late. In any event, if the Court reporter finds that a change in the transcript is required to reflect accurately what the reporter heard, the reporter can correct the transcript with appropriate notice to the parties.

Second, the plaintiff argues that this Court should intervene in a United States Department of Education Investigation. That request is **denied**. This case is now closed and, in any event, the Court would not intervene in an investigation without receiving briefing that explains how such relief is called for by the case that was pending before the Court.

SO ORDERED.

Dated: New York, New York
January 9, 2020



John G. Koeltl
United States District Judge

*copy mailed to pro se party at
docket address.*

U.S. Southern District Court

Honorable Judge John G. Koeltl
 Daniel Patrick Moynihan - US Courthouse
 500 Pearl Street / Courtroom 14A, NY, NY 10007
 Fax - 212 805 7912 (total # of pages 4)

Anna Denicolo
 18 Wildwood Rd
 Hartsdale NY 10530
 January 7, 2020

Re: Denicolo v. The Board of Education of the City
 of NY et al - Case no: 1:16-cv-7416 JGK

Dear Judge John G. Koeltl,

I am writing regarding two letters I submitted to the court. On November 14, 2019, I filed a handwritten letter electronically on CM/ECF with the Pro Se office. A copy of the letter provided to court is included with this letter. The letter was addressed to Sonya Ketter Moore (Court Reporter) and was dated November 12, 2019. The letter asked the court to correct the transcript dated June 24, 2019. I requested correction to page 5, line 4 and page 14, line 6 of the transcript.

On November 14, 2019 I was informed at the Court Reporters office, that I needed to provide the letter to the court first for approval, and that the court would refer my letter to Ms Moore for correction. Please inform me of the status of your decision in this matter.

On November 25, 2019, I filed a handwritten letter electronically on CM/ECF via the Pro Se office. A copy of the two page letter provided to the court is included with this letter. My November 25 letter pertained to my request for the court's assistance in regard to the US Dept. of Education / OCR complaint case no. 02-14-1504. In 2013-14, I along with eleven parents filed complaints and participated in the request to OCR to investigate the school P-193 and the Dept. of Education for denial of services to children with disabilities and for retaliation for voicing complaints.

In late September of 2019 I received the US Dept of Ed. / OCR investigative report and learned to my shock and dismay, the US Dept of Ed. / OCR neglected and failed to interview any of the eleven parents who participated in the filing of our 02-14-1504 reports. Thus, violating investigative procedures as well as the public trust. In my November 25, letter to the court, I appealed to the court for assistance to ensure the US Dept of Ed / OCR comply and interview all parents who participated in

U.S. Southern District Court / Judge John G. Koeltl

Continue page 2

Fax. total number of pages included with this
letter (6)

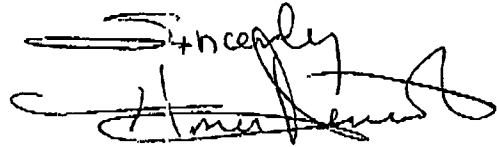
Re: Denicolo v Bd of Education
Case # 1:16 cv-7416 JGK

Anna Denicolo
18 Wildwood Rd
Hartsdale NY 10530
January 7, 2020

the filing of the 02-14-1504 case. Please inform me of the status of the court's decision in this matter, in that I was unable to locate any information on CM/ECF regarding this matter.

I have also included with this letter a copy of the postal receipt confirmation of the November 25, 2019 copy letter was also sent to defense attorney Nicholas Green.

Thank you for your time and consideration.

Sincerely


US. Southern District Court
 Southern District Reports PC
 Court Reporter. Sonya Ketter Moore
 Tax ID 13-2775946
 500 Pearl Street, Courtm 14A
 Work order No. 203585-Invoice 0517603-IN
 Denicolo v. Bd of Education NYC - Case #16-CV-07416-JBK


RECEIVED
 SONYA KETTER MOORE
 2019 NOV 14 AM 11:48

November 12, 2019

Ms Sonya Ketter Moore,

After thoroughly examining the transcript of my testimony for the (Show Cause Hearing) on June 24, 2019 at 11 AM in Courtroom 14A, before Judge John G. Koeltl, I located two significant errors in the Court transcript provided to me. The first error that appears in the Court transcript is located on page 5, line 4 which reads, Mr Fuchsberg did not submit his rebuttal at this hearing. The correction for page 5 line 4 should read "Mr. Fuchsberg did not submit his Reply on time for this hearing". The second error on the June 24, 2019 Court transcript appears on page 14 line 6. The Court transcript reads "I think that there were things that should have been set up at the beginning with the lawyer from Mr. Fuchsberg firm that were set up. The correction for line 6 should read "I think that there were things that should have been set up at the beginning with the lawyer from Mr. Fuchsberg firm that were not set up". Please make these corrections to the June 24th 2019 Court transcript. Should you require a review of my hand written statement, which I used during the hearing to read out my testimony on June 24, 2019. I would be happy to have you review it upon request.

* Reply-refers to a document for the court
 Co: Judge John G. Koeltl

Thank you


Honorable Judge John G. Koeltl
 Daniel Patrick Moynihan US Courthouse
 U.S. Southern District Court, 500 Pearl Street
 Courtroom 14A, NY NY 10007

RECEIVED
 STONY BROOK
 2019 NOV 25 AM 10:49

November 25, 2019

Re: Denicolo v. The Board of Education of the City of NY et al,
 Case no. 16-CV-7416 JSK
 -Request Conference-

I am asking the court to consider the information provided in this letter and to ensure the Civil Rights and freedom of speech pertaining to eleven parents who participated in the 2013-14 U.S. Department of Education / OCR complaint case number 02-14-1504 be protected and their voices be heard. In 2013-14, I along with parents submitted complaints to the U.S. Department of Education / OCR.

These complaints included "Two Reports"; over six hundred pages of documents and NYC DOE email correspondence. Parent complaints included OCR "Discrimination Consent forms, parent letters and supporting documents. In October of 2019, five years after the 02-14-1504 complaints were filed, I received the U.S. Department of Education / OCR conclusive investigation "Report". The report shockingly shows that the U.S. Department of Education / OCR excluded and neglected to interview any of the eleven parents who participated in the filing of the 02-14-1504 complaints. The U.S. Department of Education was provided with parent contact information by both myself and by parents themselves. Contact information included home addresses, work and cell phone ->

page 1 of 2

Honorable Judge John G. Koeltl
 US Southern District Court
 Daniel Patrick Moynihan US Courthouse
 500 Pearl Street, Courthouse 14A, NY NY 10007

November 25, 2016

Re: Denicola v. The Board of Education of the City of NY et al,
 Case no. 16-CV-7416.

Continue page 2

- numbers and email addresses.

Your Honor, the US Department of Education/OCR not only violated investigative procedures, but also violated the public trust. The US Department of Education/OCR has silenced the voices of parents who choose to speak out against a system that violates the rights of children to an equal and fair education under the law.

I appeal to the court to assist in ensuring the scales of Justice is rightfully balanced, and ensuring the US Department of Education complete their investigation by interviewing all parents and including all parents involved.

Thank you for your time and consideration,

Copy of this letter will

be provided to Nicholas Benjamin Green Anna Denicola
 Lead attorney, NYC Law Department
 100 Church St, NY 10007

Board of Education by mail

Confirmation will be provided

page 2 of 2

SCARSDALE
29 CHASE RD
SCARSDALE, NY 10523
35752
(800)
12/05/2019

Case # 1:16 - CV - 07416 - JGK

Confirmation Receipt
to Defense attorney
November 25, 2019
letter

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