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MEMO ENDORSED

VIA ECF

December 21, 2023

Hon. Edgardo Ramos
U.S. District Court, Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Dawkins v. Copeland*, 17 Civ. 9926 (ER) (S.D.N.Y.)

Dear Judge Ramos:

The deadline to submit the settlement stipulation is extended until January 26, 2024. SO ORDERED.

Edgardo Ramos, U.S.D.J.

Dated: 12/22/23

New York, New York

We write on behalf of Plaintiff Edward C. Dawkins to provide a status update on the settlement discussions in the above-captioned case.

The parties have agreed to a settlement amount but have yet to reach agreement on a final stipulation. The parties last conferred on December 6. During that meeting, the parties agreed on several terms, including the manner in which Plaintiff's settlement would be paid (Plaintiff had requested that the City split the payment between him and a family member). The parties did not agree on a deadline by which the City would make the payments. On December 18, Plaintiff's counsel sent Defense counsel a draft stipulation for consideration, including a 45-day deadline for the payment to be made.

Last night, Defense counsel responded, indicating that he had provided mistaken information during the prior conference and that the City would not agree to the payment terms Plaintiff had requested. In addition, Defense counsel objected to the payment deadline proposed by Plaintiff.

Due to Plaintiff's incarceration, counsel has not yet had an opportunity to discuss with Plaintiff the City's reversal of its position on the payment terms. Accordingly, the parties will be unable to conclude a settlement today.

Plaintiff respectfully requests that the Court extend the deadline to submit the stipulation until January 26. If the parties are unable to reach agreement by that date, the parties intend to request a settlement conference to address any remaining issues. Defendant consents to this request.

Respectfully submitted,

/s/ Philip A. Fortino

Philip A. Fortino

Gabrielle McKenzie

Counsel for Plaintiff Edward C. Dawkins