

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
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DATE FILED: 01/26/2022**

MELENDEZ, *et al.*,

Plaintiffs,

v.

THE CITY OF NEW YORK, *et al.*,

Defendants.

No. 20-CV-5301 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On October 28, 2021, the Second Circuit issued an opinion affirming in part, reversing in part, and vacating in part this Court's judgment of November 30, 2020, and remanded for further proceedings consistent with its opinion. As relevant here, the Circuit held that Plaintiffs had alleged a plausible Contracts Clause challenge to New York State's Guaranty Law and that Plaintiffs' motion for preliminary injunctive and declaratory relief should thus not have been denied without review. Earlier today, the mandate issued.

Accordingly, the Court will consider Plaintiffs' motion for preliminary injunctive and declaratory relief on the merits. Although this motion is fully briefed, over a year has passed since that briefing was completed. By no later than January 31, 2022, the parties shall submit a joint letter stating whether they wish to rest on their existing briefing or prefer to file supplemental or replacement briefing. If the parties elect to supplement or replace their briefs, they shall also propose a briefing schedule. The Court will schedule a hearing on the preliminary injunction motion after briefing is complete.

Dated: January 26, 2022
New York, New York



Ronnie Abrams
United States District Judge