

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Y.S., on behalf of Y.F and S.F.,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendant,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/26/2021

1:21-cv-00711 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On April 26, 2021, the Court held a status conference to discuss Defendant's noncompliance to date with the preliminary injunction entered by the Court [ECF No. 14-15] which, *inter alia*, required Defendant to find a nonpublic school placement for Plaintiff's minor child Y.F. that complied with a previous order of an Impartial Hearing Officer. This order memorializes the Court's orders at the conference.

Defendant is ORDERED to use all efforts to update on or before April 28, 2021 at 5:00PM the identification and contact information for plaintiff's mother in Department of Education computer systems as discussed at the conference. Upon completion, counsel for Defendant should inform counsel for Plaintiff and take all necessary steps to issue corrected voucher letters to Plaintiff.

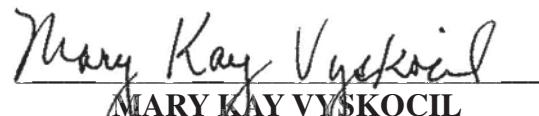
Defendant is further ORDERED to reevaluate the appropriateness of any schools which it previously rejected because of the residential-only environment. Plaintiff has suggested that all of the schools in that category also offer non-residential programs. Defendant must complete its reevaluation on or before May 3, 2021 and communicate with counsel for Plaintiff regarding the same.

By separate order, the Court will refer this case to the assigned Magistrate Judge to allow the Parties to continue to negotiate placement issues. However, the Initial Pretrial Conference previously scheduled for May 5, 2021 remains on the calendar. The Parties are directed to review the Court's Individual Practices and the order scheduling the conference [ECF No. 17] and make all submissions as required therein. The Parties should use their joint letter to explain any updates on the matters discussed at the April 26 conference and may submit further updates as appropriate before the May 5 conference.

Failure to comply with the deadlines in this order or with any other order of the Court in this action may result in sanctions including monetary sanctions or preclusion of a claim or defense.

SO ORDERED.

Date: April 26, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge