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THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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January 7, 2022

**VIA ECF**

Hon. Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Centre Street, Rm 705  
New York, NY 10007

Re: *M.B. v. N.Y.C. Dep't of Educ.*, 21-cv-6118(PGG)(KNF)

Dear Judge Gardephe:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia M. Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, et seq. ("IDEA"), as well as for this action.

I write to respectfully request a 30-day extension of Defendant's time to respond to the complaint, from January 11 to February 10, 2022, (as well as a corollary extension of the parties' date for submission of a joint status letter from January 22 to February 21, 2022) and to adjourn the Court conference scheduled for January 27, 2022 *sine die*. This is the third, and hopefully final request to extend Defendant's time, and the first request to adjourn the court conference and to extend the parties time to submit a next status letter. Plaintiff consents to these requests.

At this time, the parties are actively engaged in good faith negotiations and we expect that this matter will be resolved in short order. As with many similar IDEA fees-only cases brought by the Roller firm, we are hopeful that the parties will settle this matter without the need for Court intervention.

Accordingly, Defendant respectfully requests a 30-day extension of (1) its time to respond to the complaint to February 10, 2022, (2) the parties time to submit a joint status letter to February 21, 2022; and an adjournment of the Court conference *sine die*.

Thank you for considering these requests.

Respectfully submitted,

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/s/

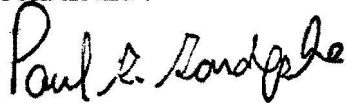
Peter L. Germanakos  
Special Assistant Corporation Counsel

cc: Irina Roller, Esq. (via ECF)

**MEMO ENDORSED:**

The application is granted. The conference currently scheduled for January 27, 2022 is adjourned to **February 24, 2022 at 11:45 a.m.**

SO ORDERED.



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Paul G. Gardephe  
United States District Judge  
Dated: January 10, 2022