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May 6, 2022

VIA ECF

Hon. Mary Kay Vyskocil
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: D.G., et al. v. New York City Dep't of Educ.
Docket No. 22-CV-1077 (MKV)

Dear Judge Vyskocil:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel, attorney for Defendant New York City Department of Education (“DOE”) in the above-referenced action. Pursuant to Rule 2.G of the Court’s Individual Rules of Practice in Civil Cases, I write with opposing counsel’s consent to respectfully request an adjournment of the initial pretrial conference currently scheduled for May 17, 2022.

By Complaint dated February 8, 2022 (ECF No. 3), Plaintiffs seek an award of attorneys’ fees and costs pursuant to the Individuals with Disabilities Education Act. Subsequently, by Order dated April 8, 2022 (ECF No. 10), the Court scheduled an initial pretrial conference in this matter, to be held on May 17, 2022 at 2:00 p.m.

In an effort to resolve their claims, Plaintiffs’ counsel has provided my Office with timesheets detailing fees and costs associated with an underlying administrative proceeding and with this federal action. I am now reviewing counsel’s timesheets, and the parties are optimistic that we will be able to resolve Plaintiffs’ claims without the Court’s intervention.

Accordingly, to allow the parties time to obtain settlement authority and engage in settlement discussions, Defendant respectfully requests a 45-day adjournment of the initial pretrial conference, from May 17, 2022 to July 1, 2022 (or a date thereafter that is convenient for the Court). The requested adjournment should allow this Office time to complete its review of

opposing counsel's timesheets, request settlement authority from the Comptroller, and make an offer of settlement. If a settlement is reached, the parties will immediately notify the Court.

This is Defendant's first request to adjourn the initial pretrial conference, and this request does not affect any other deadlines. In addition, I have conferred with Plaintiffs' counsel, Jacqueline DeVore, who consents to this request.

Thank you for your consideration of this matter.

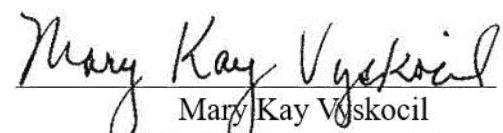
Respectfully submitted,

/s/
Copatrick Thomas
Assistant Corporation Counsel

cc: Attorneys of Record
(via ECF)

GRANTED. The initial pre-trial conference scheduled for May 17, 2022 at 2:00 PM is ADJOURNED to July 5, 2022 at 10:30 AM. Absent exceptional circumstances, the Court will not delay the initial pre-trial conference again. SO ORDERED.

Date: 5/6/2022
New York, New York


Mary Kay Viskocil
United States District Judge