

MEMO ENDORSED

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November 14, 2022

VIA ECF

Hon. Valerie E. Caproni
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

USDC SDNY
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Re: *H.B., et. al. v. New York City Dept. of Education*
22-cv-6228 (VEC)(SN)

Dear Judge Caproni:

Please be advised that this firm represents the Plaintiffs in the above action, wherein brought this action seeking attorneys' fees, costs and expenses pursuant to the fee shifting provision of the Individual with Disabilities Education Act, 20 U.S.C. §1400, et. seq. wherein Plaintiffs were successful in the underlying trial.

Plaintiffs respectfully submits this letter to request a 90-day stay of this action until February 16, 2023. Plaintiffs have agreed to provide Defendant with a settlement demand including billing up to date records in the federal matter by November 16, 2022. I apologize to the Court for the delay (due to a personal emergency of which I have made Defendant's counsel aware of.) On August 16, 2022, the Court granted Defendant's first request for an extension and stay on consent from Plaintiffs (Dkt. no. 10). It is my understanding that upon receipt of the settlement demand, Defendant will begin its internal settlement review process and thereafter present Plaintiffs with an offer of settlement.

I am optimistic that this case can be resolved without burdening the Court any further if this request for a 90-day stay is granted. I respectfully propose that, if a stay is granted, the parties be required to submit a joint status letter regarding settlement negotiations on or before February 16, 2023.

Thank you in advance for the Court's consideration.

Respectfully submitted,

s/_____
Irina Roller
Attorney for the Plaintiff

cc: Marina Moraru, *Special Assistant Corporation Counsel*
City of New York Law Department (via ECF)

Application GRANTED in part. Defendant's answer deadline is STAYED. The parties are to provide a joint status update on settlement by no later than **February 15, 2023**. If the parties have not reached settlement by that time, they must thereafter provide monthly updates to the Court **on the 15th of every month** or the next business day if the 15th falls on a weekend or holiday.

SO ORDERED.



Date: 11/18/2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE