



MURIEL GOODE-TRUFANT  
*Acting Corporation Counsel*

THE CITY OF NEW YORK  
**LAW DEPARTMENT**

100 CHURCH STREET  
NEW YORK, NY 10007

**Marina Moraru**  
*Special Assistant Corporation Counsel*  
Office: 212) 356-2456

September 24, 2024

**VIA ECF**

Hon. Katherine Polk Failla  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: *D.K. et al. v. New York City Public Schools*, 24-cv-4977 (KPF)(SDA)

Dear Judge Failla:

I am a Special Assistant Corporation Counsel in the office of Acting Corporation Counsel, Muriel Goode-Trufant, attorney for Defendant in the above-referenced action, wherein Plaintiffs seek solely attorneys' fees, costs and expenses for legal work on administrative hearings 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 90-day stay of this action until January 6, 2025. Plaintiffs consent to this request. Defendant is still awaiting the needed billing records and retainer agreement/s. Plaintiffs now agree to provide these records by October 7, 2024. (Defendant's deadline to respond to the Complaint is currently November 18, 2024). On August 5, 2024, the Court granted Defendant's first request for an extension. (ECF 12). We note that, while this is an IDEA fees-only case and liability appears not at issue, without the relevant billing, Defendant cannot begin its internal settlement review process, which includes review of the underlying administrative record together with the relevant billing records, and thereafter present a reasonable early offer of settlement. We have resolved recent similar IDEA fees-only cases brought by plaintiffs represented by the Roller firm without the need to burden the court with any sort of motion practice, conferences or even the need to file an Answer. The parties are hopeful this matter will be resolved as well.

I also respectfully propose that, if a stay is granted, the parties be required to submit a joint status letter regarding settlement negotiations on or before January 6, 2025.

Thank you for considering these requests.

Respectfully submitted,  
*/s/ Marina Moraru*

---

Marina Moraru, Esq.  
Special Assistant Corporation Counsel

cc: Irina Roller (via ECF)

Application GRANTED. Based on the parties' representations, the case is hereby STAYED until **January 6, 2025**, on or before which date the parties shall file a joint status letter advising the Court on settlement negotiations.

The Clerk of Court is directed to terminate the pending motion at docket number 17.

Dated: September 25, 2024  
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE