

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:80-cv-06761-LBS**

USA v. Yonkers Board of Edu, et al  
Assigned to: Judge Leonard B. Sand  
Demand: \$0

Related Cases: 1:99-cv-01493-LBS  
1:89-cv-05609-CSH

Similar Case: 1:09-cv-04370-LBS

Case in other court: 00-06078.

00-06158

00-06158.

98-06190(Lead)&98-06100(Xap

99-06074

99-06074.

99-06074.

99-06128&99-06132

99-06128(L),99-06132(Con).

Cause: 42:2003 Job Discrimination

**Plaintiff**

**United States of America**

represented by **Emily H. McCarthy**  
U.S. Department of Justice  
Civil Rights Division  
Patrick Henry Building  
Washington, DC 20530  
(202) 305-3690  
*LEAD ATTORNEY*

**John R. Moore**  
Attys for the US Educational  
Opportunities Section  
Civil Rights Division, US Dept. of Justice  
950 Pennsylvania Ave, N.W. PHB  
Washington, DC 20530  
(202) 305-3690  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lisa M Evans**  
NY State Office Of Court Administration  
25 Beaver Street

New York, NY 10004  
212-428-2150  
Email: [lievans@courts.state.ny.us](mailto:lievans@courts.state.ny.us)  
*LEAD ATTORNEY*

V.

**Defendant**

**City of Yonkers**

represented by **Raymond Paul Fitzpatrick , Jr.**  
Fitzpatrick & Brown, LLP  
1200 Corporate Dr. Ste 105  
Birmingham, AL 35242  
205-437-8846

Fax: 855-898-3647  
Email: [rpf@rfitzpatricklaw.com](mailto:rpf@rfitzpatricklaw.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. Department of Housing & Urban  
Dev.**

**Defendant**

**Samuel Pierce**

**Defendant**

**State of New York**  
**TERMINATED: 06/23/1995**

**Defendant**

**Board of Regents of New York**  
**TERMINATED: 06/23/1995**

**Defendant**

**R Carlos Carballada**  
*in his official capacity as a member of the  
State Board of Regents*  
**TERMINATED: 06/23/1995**

**Defendant**

**Adelaide L. Sanford**  
*in her official capacity as a member of the  
State Board of Regents*  
**TERMINATED: 06/23/1995**

**Defendant**

**Willard A Genrich**  
*in his official capacity as a member of the  
State Board of Regents*  
**TERMINATED: 06/23/1995**

**Defendant**

**Emlyn I Griffith**  
*in her official capacity as a member of the  
State Board of Regents*  
**TERMINATED: 06/23/1995**

**Defendant**

**Jorge L Battista**  
*in his official capacity as a member of the  
State Board of Regents*  
**TERMINATED: 06/23/1995**

**Defendant**

**Lora Bradley Chodos**  
*in her official capacity as a member of the  
State Board of Regents*  
**TERMINATED: 06/23/1995**

**Defendant**

**Louise P Matteoni**

*in her official capacity as a member of the  
State Board of Regents*

TERMINATED: 06/23/1995

**Defendant**

**Edward Meyer**

*in his official capacity as a member of the  
State Board of Regents*

TERMINATED: 06/23/1995

**Defendant**

**Floyd S Linton**

*in his official capacity as a member of the  
State Board of Regents*

TERMINATED: 06/23/1995

**Defendant**

**Salvadore Sclafini**

*in his official capacity as a member of the  
State Board of Regents*

TERMINATED: 06/23/1995

**Defendant**

**Shirley C Brown**

*in her official capacity as a member of the  
State Board of Regents*

TERMINATED: 06/23/1995

**Defendant**

**Norma Gluck**

*in her official capacity as a member of the  
State Board of Regents*

TERMINATED: 06/23/1995

**Defendant**

**Thomas Frey**

*in his official capacity as a member of the  
State Board of Regents*

TERMINATED: 06/23/1995

**Defendant**

**Thomas Sobol**

TERMINATED: 06/23/1995

**Defendant**

**Urban Development Corp. of New  
York**

TERMINATED: 07/24/1995

**Defendant**

**Vincent Tese**

TERMINATED: 06/23/1995

**Defendant**

**Mario Cuomo**

*as Governor of the State of New York*

TERMINATED: 06/23/1995

**Defendant**

**Martin C. Barrell**

*in his official capacity as a member of the  
State Board of Regents  
TERMINATED: 06/23/1995*

**Defendant**

**James McCabe, Sr.**

*in his official capacity as a member of the  
State Board of Regents  
TERMINATED: 06/23/1995*

**Defendant**

**Mimi Levin Lieber**

*in her official capacity as a member of the  
State Board of Regents  
TERMINATED: 06/23/1995*

**Defendant**

**Yonkers Community Development  
Agency**

**Defendant**

**Yonkers Board of Education**

**Intervenor Defendant**

**Urban Development Corp. of New  
York**

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**U.S. Department of Housing & Urban  
Dev.**

**Intervenor Defendant**

**Vincent Tese**

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**State of New York**

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**Thomas Sobol**

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**Salvadore Sclafini**

*in his official capacity as a member of the  
State Board of Regents  
TERMINATED: 06/23/1995*

**Intervenor Defendant**

**Adelaide L. Sanford**

*in her official capacity as a member of the  
State Board of Regents  
TERMINATED: 06/23/1995*

**Intervenor Defendant**

**Samuel Pierce**

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**Edward Meyer**

*in his official capacity as a member of the  
State Board of Regents*

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**Louise P Matteoni**

*in her official capacity as a member of the  
State Board of Regents*

*TERMINATED: 06/23/1995*

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**Floyd S Linton**

*in his official capacity as a member of the  
State Board of Regents*

*TERMINATED: 06/23/1995*

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*in her official capacity as a member of the  
State Board of Regents*

*TERMINATED: 06/23/1995*

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**Norma Gluck**

*in her official capacity as a member of the  
State Board of Regents*

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**Willard A Genrich**

*in his official capacity as a member of the  
State Board of Regents*

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**Thomas Frey**

*in his official capacity as a member of the  
State Board of Regents*

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**City of Yonkers**

**Intervenor Defendant**

**Lora Bradley Chodos**

*in her official capacity as a member of the  
State Board of Regents*

*TERMINATED: 06/23/1995*

**Intervenor Defendant**

**R Carlos Carballada**

*in his official capacity as a member of the*

State Board of Regents  
TERMINATED: 06/23/1995

**Intervenor Defendant**

**Shirley C Brown**  
*in her official capacity as a member of the  
State Board of Regents*  
TERMINATED: 06/23/1995

**Intervenor Defendant**

**Board of Regents of New York**  
TERMINATED: 06/23/1995

**Intervenor Defendant**

**Jorge L Battista**  
*in his official capacity as a member of the  
State Board of Regents*  
TERMINATED: 06/23/1995

**Intervenor Defendant**

**Martin C Barrell**  
*in his official capacity as a member of the  
State Board of Regents*  
TERMINATED: 06/23/1995

**Intervenor Defendant**

**Mario Cuomo**  
TERMINATED: 06/23/1995

**Intervenor Defendant**

**United States of America**

**Intervenor Defendant**

**James McCabe, Sr.**  
*in his official capacity as a member of the  
State Board of Regents*  
TERMINATED: 06/23/1995

**Intervenor Defendant**

**Mimi Levin Lieber**  
*in her official capacity as a member of the  
State Board of Regents*  
TERMINATED: 06/23/1995

**Intervenor Defendant**

**Yonkers Community Development  
Agency**

**Intervenor Defendant**

**Yonkers Board of Education**

**Intervenor Defendant**

**Yonkers Federation of Teachers**

represented by **Katherine Alice Levine**  
Cravath, Swaine & Moore LLP  
825 Eighth Avenue  
New York, NY 10019  
(212)-474-1684  
Fax: (212)-474-3700

Email: [klevine@cravath.com](mailto:klevine@cravath.com)  
LEAD ATTORNEY

**Intervenor Plaintiff**

**Yonkers Branch–National Association  
for the Advancement of Colored  
People, et al**

represented by **Leonard Jr. Buddington**  
Leonard Buddington, Jr., Esq.  
30 South Broadway  
Yonkers, NY 10701  
(914) 963–3881  
LEAD ATTORNEY

**Michael Howard Sussman**  
Sussman & Watkins  
1 Railroad Ave 3/P.O.B. 1005  
Goshen, NY 10924  
(845)294–3991  
Fax: (845) 294–1623  
Email: [sussman1@frontiernet.net](mailto:sussman1@frontiernet.net)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Cross Defendant**

**State of New York**

**Cross Defendant**

**Governor George Pataki**

**Cross Defendant**

**Richard P. Mills**

**Cross Defendant**

**H. Carl McCall**  
*TERMINATED: 02/20/2002*

**ThirdParty Plaintiff**

**City of Yonkers**  
*TERMINATED: 02/20/2002*

**ThirdParty Plaintiff**

**Yonkers Community Development  
Agency**

**ThirdParty Plaintiff**

**Yonkers Board of Education**

V.

**ThirdParty Defendant**

**U.S. Dept. of Housing & Urban  
Development**

**ThirdParty Defendant**

**Secretary of Housing and Urban  
Development**

**Movant**

**Albert A. Walsh**

represented by **Albert A. Walsh**  
161 Westchester Avenue

Yonkers, NY 10707  
(914)779-7047  
PRO SE

**Movant**

**Ann E. Walsh**

represented by **Ann E. Walsh**  
161 Westchester Avenue  
Yonkers, NY 10707  
(914)779-7047  
PRO SE

**Movant**

**Christine Grealy Brown**

represented by **Christine Grealy Brown**  
233 Westchester Avenue  
Yonkers, NY 10707  
(914)793-0771  
PRO SE

**Movant**

**Jeanette Johnson**

represented by **Jeanette Johnson**  
160 Westchester Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**John Zilm**

represented by **John Zilm**  
395 Westchester Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**Judith Zilm**

represented by **Judith Zilm**  
295 Westchester Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**John Detone**

represented by **John Detone**  
164 Westchester Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**Maureen Detone**

represented by **Maureen Detone**  
164 Westchester Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**William E. Sheerin**

represented by **William E. Sheerin**  
18 Thornbury Road  
Yonkers, NY 10583  
PRO SE

**Movant**

**Patricia A. Sheerin**

represented by **Patricia A. Sheerin**  
18 Thornbury Road  
Yonkers, NY 10583  
PRO SE

**Movant**

**Georgette Stam**

represented by **Georgette Stam**  
5 Thornbury Road  
Yonkers, NY 10583  
PRO SE

**Movant**

**Patricia M. Taylor**

represented by **Patricia M. Taylor**  
11 Thornbury Road  
Yonkers, NY 10583  
PRO SE

**Movant**

**Elizabeth T. Conlon**

represented by **Elizabeth T. Conlon**  
290 Westchester Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**Edward J. Amato**

represented by **Edward J. Amato**  
359 Westchester Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**Mary B. Amato**

represented by **Mary B. Amato**  
359 Westchester Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**Francis T. Griffin**

represented by **Francis T. Griffin**  
2 Sargent Road  
Yonkers, NY 10583  
PRO SE

**Movant**

**Joan I. Griffin**

represented by **Joan I. Griffin**  
2 Sargent Road  
Yonkers, NY 10583  
PRO SE

**Movant**

**George J. Moran**

represented by **George J. Moran**  
17 Thornbury Road  
Yonkers, NY 10583  
PRO SE

**Movant**

**Elsa M. Moran**

represented by **Elsa M. Moran**  
17 Thornbury Road  
Yonkers, NY 10583  
PRO SE

**Movant**

**Alfred T. Lamberti**

represented by **Alfred T. Lamberti**  
300 Scarsdale Road  
Yonkers, NY 10707

PRO SE

**Movant**

**Donna Cetani**

represented by **Donna Cetani**  
54 Brosnan Place  
Yonkers, NY 10707  
PRO SE

**Movant**

**Barbara DeVito**

represented by **Barbara DeVito**  
70 Brosnan Place  
Yonkers, NY 10707  
PRO SE

**Movant**

**Lawrence R. DeVito**

represented by **Lawrence R. DeVito**  
70 Brosnan Place  
Yonkers, NY 10707  
PRO SE

**Movant**

**Lorraine Sangenito**

represented by **Lorraine Sangenito**  
62 Brosnan Place  
Yonkers, NY 10707  
PRO SE

**Movant**

**Ermalyn King**

represented by **Ermalyn King**  
46 Brosnan Place  
Yonkers, NY 10707  
PRO SE

**Movant**

**Edilbert Cabellas**

represented by **Edilbert Cabellas**  
47 Hothorn Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**Rowena Cabellas**

represented by **Rowena Cabellas**  
47 Hothorn Avenue  
Yonkers, NY 10707  
PRO SE

**Movant**

**Nathaniel Quintero**

represented by **Gerald C Tobin**  
Cusack & Stiles LLP  
61 Broadway  
New York, NY 10006  
(212)480-0400  
*LEAD ATTORNEY*

**Movant**

**Debra DiCaprio**

represented by **Gerald C Tobin**  
(See above for address)  
*LEAD ATTORNEY*

**Movant**

**George Holt**

represented by

**Gerald C Tobin**  
(See above for address)  
**LEAD ATTORNEY**

**ThirdParty Plaintiff**

**Yonkers Board of Education**

**Cross Claimant**

**City of Yonkers**

**Cross Claimant**

**Yonkers Board of Education**

**Cross Claimant**

**City of Yonkers**

**TERMINATED: 02/20/2002**

| Date Filed | #    | Docket Text                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12/01/1980 | 1    | COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); (emil) (Entered: 06/16/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 03/05/1981 | 22   | Intervenor's COMPLAINT by Yonkers Branch-Nat'l against Yonkers Community De, Urban Development Co, United States of Ame, U.S. Department of H, Vincent Tese, State of New York, Thomas Sobol, Salvatore Sclafini, Adelaide L Sanford, Samuel Pierce, Edward Meyer, James McCabe, Louise P Matteoni, Floyd S Linton, Mimi Levenlieber, Emlyn I Griffith, Norma Gluck, Willard A Genrich, Thomas Frey, City of Yonkers, Lora Bradley Chodos, R Carlos Carballada, Shirley C Brown, Board of Regents of, Jorge L Battista, Martin C Barrell, Mario Cuomo (emil) Modified on 04/27/1993 (Entered: 06/16/1992)                                                                                                                           |
| 07/22/1981 | 43   | THIRD-PARTY COMPLAINT by Yonkers Community De, City of Yonkers against U.S. Dept. of Housin, Sec. of Housing ; Third-party summons issued. (emil) (Entered: 06/16/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 11/18/1981 |      | Memo endorsed on motion; denying as moot [1246-1] motion to conduct discovery pertaining to Annual Education Benefits. ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 12/05/1991)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 12/14/1981 | 56   | AMENDED COMPLAINT by United States of Ame , (Answer due 12/27/81 for Mario Cuomo, for Martin C Barrell, for Jorge L Battista, for Board of Regents of, for Shirley C Brown, for R Carlos Carballada, for Lora Bradley Chodos, for City of Yonkers, for Thomas Frey, for Willard A Genrich, for Norma Gluck, for Emlyn I Griffith, for Mimi Levenlieber, for Floyd S Linton, for Louise P Matteoni, for James McCabe, for Edward Meyer, for Samuel Pierce, for Adelaide L Sanford, for Salvatore Sclafini, for Thomas Sobol, for State of New York, for Vincent Tese, for U.S. Department of H, for Urban Development Co, for Yonkers Community De ) amending [1-1] complaint ; Summons issued. (emil) (Entered: 06/16/1992)         |
| 03/17/1986 |      | Pre-trial conference held (emil) (Entered: 06/16/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 02/10/1989 | 986  | AMENDED COMPLAINT by United States of Ame , (Answer due 2/23/89 for Mario Cuomo, for Martin C Barrell, for Jorge L Battista, for Board of Regents of, for Shirley C Brown, for R Carlos Carballada, for Lora Bradley Chodos, for City of Yonkers, for Thomas Frey, for Willard A Genrich, for Norma Gluck, for Emlyn I Griffith, for Mimi Levenlieber, for Floyd S Linton, for Louise P Matteoni, for James McCabe, for Edward Meyer, for Samuel Pierce, for Adelaide L Sanford, for Salvatore Sclafini, for Thomas Sobol, for State of New York, for Vincent Tese, for U.S. Department of H, for Urban Development Co, for Yonkers Community De ) amending [56-1] amended complaint ; Summons issued. (emil) (Entered: 06/16/1992) |
| 01/19/1990 | 1092 | ANSWER by Yonkers Community De, Urban Development Co, U.S. Department of H, Vincent Tese, State of New York, Thomas Sobol, Salvatore Sclafini, Adelaide L                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|            |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |      | Sanford, Samuel Pierce, Edward Meyer, James McCabe, Louise P Matteoni, Floyd S Linton, Mimi Levenlieber, Emlyn I Griffith, Norma Gluck, Willard A Genrich, Thomas Frey, City of Yonkers, Lora Bradley Chodos, R Carlos Carballada, Shirley C Brown, Board of Regents of, Jorge L Battista, Martin C Barrell, Mario Cuomo (Attorney ) to amended complaint ; by attorney (emil) (Entered: 06/16/1992)                                                          |
| 09/25/1991 | 1243 | SECOND SUPPLEMENTAL RESPONSE by United States of America to plttf-Intervenor NAACP's motion for an order requiring the City of Yonkers to adopt addtl remedial measures in furtherance of the long term housing remedy order. (ar) (Entered: 09/27/1991)                                                                                                                                                                                                      |
| 09/30/1991 | 1244 | NOTICE OF MOTION by City of Yonkers to preserve & delineate uses of funds deposited purs. to the Court's order of 9-16-91. , Return date none specified. (mk) (Entered: 10/01/1991)                                                                                                                                                                                                                                                                           |
| 09/30/1991 | 1245 | NOTICE OF MOTION by City of Yonkers for clarification of the City of Yonkers' obligations with respect to a street opening permit on the Wrexham Road Public Housing Site. , Return date: None specified. (mk) (Entered: 10/01/1991)                                                                                                                                                                                                                          |
| 09/30/1991 | 1246 | NOTICE OF MOTION by City of Yonkers to conduct discovery pertaining to Annual Education Benefits. , Return date (mk) (Entered: 10/01/1991)                                                                                                                                                                                                                                                                                                                    |
| 09/30/1991 | 1247 | Fld MEMO ENDORSEMENT on Copy of Check #326970 from the City of Yonkers, New York in the amount of \$337,800.00....It is hereby ordered that the proceeds of the check of...this is a xerox shall be deposited in a separate interest bearing account pending further order of the Court...SO ORDERED SAND,J (ar) (Entered: 10/03/1991)                                                                                                                        |
| 09/30/1991 |      | Received one check in the amount of \$337,800.00 --to be placed in CRIS...M. LINDNER. (ar) (Entered: 10/03/1991)                                                                                                                                                                                                                                                                                                                                              |
| 09/30/1991 | 1248 | Transcript of record of proceedings filed for dates of 7/15/91 (ar) (Entered: 10/03/1991)                                                                                                                                                                                                                                                                                                                                                                     |
| 09/30/1991 | 1249 | NOTICE OF MOTION by City of Yonkers for an Order requiring the U.S. & Deft U.S. Dept. of Housing & Urban Development to take all actions necessary to preserve the funds authorized and appropriated for allocations by HUD to the City of Yonker FY 1989 CDBG allocation , to stay the effect of this Court's Order dated 9/16/91, pending further proceedings. , Return date NO DATE SPECIFIED. Recd in night deposit at 6:23pm. (ar) (Entered: 10/03/1991) |
| 10/11/1991 | 1250 | Transcript of record of proceedings filed for dates of 8/20/91 (emil) (Entered: 10/21/1991)                                                                                                                                                                                                                                                                                                                                                                   |
| 10/21/1991 | 1251 | AFFIDAVIT of Michael H. Sussman Re: response to deflt City of Yonkers' motion for leave to conduct study of the status of the school remedy order. (emil) (Entered: 10/28/1991)                                                                                                                                                                                                                                                                               |
| 10/22/1991 |      | **Related case. (st) (Entered: 10/22/1991)                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10/29/1991 | 1252 | MANDATE, OPINION & ORDER OF USCA (certified copy) Re: the order of the Dist. Court is affirmed (emil) (Entered: 11/04/1991)                                                                                                                                                                                                                                                                                                                                   |
| 10/30/1991 | 1253 | NOTICE OF MOTION by City of Yonkers for an order granting the City leave to conduct a comprehensive study of the current status of the desegregation of the Yonkers Public Schools , Return date 10/31/91 (emil) (Entered: 11/06/1991)                                                                                                                                                                                                                        |
| 10/31/1991 | 1254 | NOTICE OF MOTION by plttf-intervenor Yonkers Branch, NAACP, et al for attorney fees , Return date 11/14/91 (emil) (Entered: 11/06/1991)                                                                                                                                                                                                                                                                                                                       |
| 11/12/1991 | 1255 | MEMORANDUM by Yonkers Board of Edu in opposition to [1253-1] motion for an order granting the City leave to conduct a comprehensive study of the current status of the desegregation of the Yonkers Public Schools (emil) (Entered: 11/14/1991)                                                                                                                                                                                                               |
| 11/14/1991 | 1257 | NOTICE OF APPEAL by City of Yonkers ; from the order entered on 9/16/91; Entered on docket Copies of notice of appeal mailed to Attorney(s) of Record. Appeal record due on 12/16/91. Sent Notice of Appeal, copy of docket sheet & order to Court of Appeals on 12/4/91 (emil) (Entered: 12/05/1991)                                                                                                                                                         |

|            |      |                                                                                                                                                                                                                                                                                          |
|------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/15/1991 | 1256 | NOTICE OF MOTION by City of Yonkers for leave to file Cross-Claim , Return date 12/5/91 (emil) (Entered: 11/20/1991)                                                                                                                                                                     |
| 11/18/1991 |      | Memo endorsed on motion; granting [1254-1] motion for attorney fees ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 12/05/1991)                                                                                                                                     |
| 11/18/1991 |      | Memo endorsed on motion; denying as moot [1253-1] motion for an order granting the City leave to conduct a comprehensive study of the current status of the desegregation of the Yonkers Public Schools ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 12/05/1991) |
| 11/22/1991 | 1258 | NOTICE by Yonkers Board of Edu to take deposition of Herbert A. Morris, Jr. on 12/10/91; subpoena(s) issued. (emil) (Entered: 12/05/1991)                                                                                                                                                |
| 11/22/1991 | 1259 | Transcript of record of proceedings filed for dates of 7/16/91 (emil) (Entered: 12/05/1991)                                                                                                                                                                                              |
| 11/22/1991 | 1260 | Transcript of record of proceedings filed for dates of 9/11/91 (emil) (Entered: 12/05/1991)                                                                                                                                                                                              |
| 11/22/1991 | 1261 | Transcript of record of proceedings filed for dates of 9/26/91 (emil) (Entered: 12/05/1991)                                                                                                                                                                                              |
| 11/22/1991 | 1262 | Transcript of record of proceedings filed for dates of 9/30/91 (emil) (Entered: 12/05/1991)                                                                                                                                                                                              |
| 11/25/1991 | 1263 | RESPONSE by City of Yonkers Re: State defts' opposition to motion for leave to file Cross-Claim (emil) (Entered: 12/05/1991)                                                                                                                                                             |
| 11/25/1991 | 1264 | MEMORANDUM in opposition to [1256-1] motion for leave to file Cross-Claim (emil) (Entered: 12/05/1991)                                                                                                                                                                                   |
| 12/03/1991 | 1265 | ORDER that the Transcript attached to this Order of a Yonkers City Council meeting held 10/8/91 at 8:00pm. be entered on the docket to be listed as a Court Exhibit in this case. ( signed by Judge Leonard B. Sand ); Copies mailed (rjm) Modified on 12/02/1994 (Entered: 12/05/1991)  |
| 12/03/1991 | 1266 | ORDER that attached Transcript of a Yonkers City Council meeting held 10/22/91 at 8:00pm. be entered on the docket to be listed as a Court Exhibit in this case. ( signed by Judge Leonard B. Sand ); Copies mailed (rjm) (Entered: 12/05/1991)                                          |
| 12/09/1991 | 1267 | ORDER, City of Yonkers is to render a written report by 12/16/91 setting forth arrangements for transportation to certain families... ( signed by Judge Leonard B. Sand ); Copies mailed (rjm) (Entered: 12/11/1991)                                                                     |
| 12/11/1991 |      | Memo-endorsement on Motion filed 11/15/91, (doc #1256) Motion denied without prejudice for an order granting leave to file cross-claim for injunctive & declaratory relief. ( signed by Judge Leonard B. Sand ) (rjm) (Entered: 12/12/1991)                                              |
| 01/06/1992 | 1267 | Transcript of record of proceedings filed for dates of 11/14/91 (emil) (Entered: 01/09/1992)                                                                                                                                                                                             |
| 01/14/1992 | 1268 | ORDER, the transcript (of a Yonkers City Council Meeting) attached to this order is entered on the docket & is to be listed as a Court Exhibit ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 01/16/1992)                                                           |
| 02/07/1992 | 1269 | NOTICE OF MOTION by Added State and UDC Defts for summary judgment , Return date 3/26/92. Affidavits in support are attached. Fld in night dep. on 2/7/92 at 5:08 p.m. (emil) (Entered: 02/10/1992)                                                                                      |
| 02/07/1992 | 1270 | AFFIDAVIT in support of Nancy Travers & Raymond Savino Re: [1269-1] motion for summary judgment. Fld in night dep. on 2/7/92 at 5:07 p.m. (emil) (Entered: 02/10/1992)                                                                                                                   |
| 02/07/1992 | 1272 | MEMORANDUM OF LAW by Urban Development Co, State of New York in support of [1269-1] motion for summary judgment (jr) (Entered: 02/11/1992)                                                                                                                                               |
| 02/07/1992 | 1273 | Rule 3(g) statement filed by Urban Development Co, State of New York (jr) (Entered: 02/11/1992)                                                                                                                                                                                          |

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| 02/07/1992 | 1274 | AFFIRMATION in support of Robert D. Stone by Urban Development Co, State of New York Re: [1269-1] motion for summary judgment (jr) (Entered: 02/11/1992)                                                                                                                                                       |
| 02/07/1992 | 1275 | AFFIDAVIT in support of Stephen M. Jacoby by Urban Development Co, State of New York Re: [1269-1] motion for summary judgment (jr) (Entered: 02/11/1992)                                                                                                                                                       |
| 02/07/1992 | 1276 | AFFIDAVIT in support of David Rindscoff by Urban Development Co, State of New York Re: [1269-1] motion for summary judgment (jr) (Entered: 02/11/1992)                                                                                                                                                         |
| 02/07/1992 | 1277 | Filed Testimony of members of the Yonkers Board of Education, Staff of the Yonkers School District, and the NAACP. (jr) (Entered: 02/11/1992)                                                                                                                                                                  |
| 02/10/1992 | 1271 | ORDER, in light of the Fair Housing Implementation Office's determination that the parcel is not suitable for use in implementing the Long Term Plan Order, Richard LeBlanc's request for a release from that Order is granted ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 02/10/1992) |
| 02/11/1992 | 1278 | MEMORANDUM by Added State & UDC defts in support of [1269-1] motion for summary judgment (emil) (Entered: 02/13/1992)                                                                                                                                                                                          |
| 02/20/1992 | 1279 | Transcript of record of proceedings filed for dates of 12/18/91 (emil) (Entered: 02/20/1992)                                                                                                                                                                                                                   |
| 02/21/1992 | 1280 | Transcript of record of proceedings filed for dates of 12/5/91 (emil) (Entered: 02/24/1992)                                                                                                                                                                                                                    |
| 02/25/1992 | 1281 | MANDATE OF USCA (certified copy) Re: [1257-1] appeal by City of Yonkers is withdrawn from active consideration, such withdrawal to be without prejudice to a reinstatement of the appeal by appellant's counsel so notifying the Clerk of the Court in writing by 5/22/92 (emil) (Entered: 02/26/1992)         |
| 02/26/1992 | 1282 | ORDER, regarding fulfillment of the desegregation plan ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 02/27/1992)                                                                                                                                                                         |
| 03/09/1992 | 1283 | ORDER, The State Education Dept. is promptly to produce to the Court for further in camera inspection all documents as to which the parties are still in dispute ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 03/10/1992)                                                               |
| 03/09/1992 | 1284 | Filed one envelope ordered sealed and impounded per order of LBS dated 2/25/92. Contents:Portion P17-34. Copies Mailed. (jr) (Entered: 04/10/1992)                                                                                                                                                             |
| 04/10/1992 | 1285 | DECLARATION of Harold J. Rennett (emil) Modified on 04/14/1992 (Entered: 04/14/1992)                                                                                                                                                                                                                           |
| 04/10/1992 | 1286 | MEMORANDUM by U.S. Department of H in opposition to Order to Show Cause (emil) (Entered: 04/14/1992)                                                                                                                                                                                                           |
| 04/10/1992 | 1290 | Rule 3(g) statement filed by Yonkers Board of Edu (emil) (Entered: 04/14/1992)                                                                                                                                                                                                                                 |
| 04/13/1992 | 1287 | AFFIDAVIT in opposition of Peter Smith Re: the application of Deluxe Development of NY Inc. (emil) (Entered: 04/14/1992)                                                                                                                                                                                       |
| 04/13/1992 | 1288 | AFFIDAVIT in opposition of Raymond P. Fitzpatrick, Jr. Re: application of Deluxe Development of NY, Inc. (emil) (Entered: 04/14/1992)                                                                                                                                                                          |
| 04/13/1992 | 1289 | MEMORANDUM by Yonkers Board of Edu in opposition to State defts' motion for summary judgment (emil) (Entered: 04/14/1992)                                                                                                                                                                                      |
| 04/13/1992 | 1291 | DECLARATION Re: to summarize a significant portion -- but by no means all -- of the evidence that the Yonkers Board is prepared to present at trial in this action (emil) (Entered: 04/14/1992)                                                                                                                |
| 04/15/1992 |      | Pre-trial conference held (emil) (Entered: 04/23/1992)                                                                                                                                                                                                                                                         |
| 04/16/1992 |      | Pre-trial conference held (emil) (Entered: 04/23/1992)                                                                                                                                                                                                                                                         |
| 04/17/1992 | 1292 | MEMORANDUM of plttff-intervenors' in opposition to [1269-1] motion for summary judgment (emil) (Entered: 04/20/1992)                                                                                                                                                                                           |
| 04/17/1992 | 1293 | AFFIDAVIT in opposition of Michael H. Sussman Re: [1269-1] motion for summary judgment (emil) (Entered: 04/20/1992)                                                                                                                                                                                            |

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| 04/20/1992 | 1294 | ORDER TO SHOW CAUSE for an order directing the closing of the transfer of title to the public housing units, etc. ( signed by Judge Charles M. Metzner ); Copies mailed. (emil) (Entered: 04/21/1992)                                                                                                                                                                                                      |
| 04/20/1992 |      | Memo endorsed on motion; withdrawing [1294-1] motion for an order directing the closing of the transfer of title to the public housing units, etc. ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 04/21/1992)                                                                                                                                                                        |
| 04/20/1992 | 1295 | ORDER, attached to this Order is a transcript of a Yonkers City Council meeting for entry on the docket to be listed as a Court Exhibit ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 04/21/1992)                                                                                                                                                                                    |
| 04/22/1992 | 1296 | MEMORANDUM by City of Yonkers in opposition to [1269-1] motion for summary judgment (emil) (Entered: 04/22/1992)                                                                                                                                                                                                                                                                                           |
| 04/22/1992 | 1297 | Rule 3(g) statement filed by City of Yonkers (emil) (Entered: 04/22/1992)                                                                                                                                                                                                                                                                                                                                  |
| 04/22/1992 | 1298 | AFFIDAVIT of Thomas J. McSpedon fld on behalf of deft City of Yonkers (emil) (Entered: 04/22/1992)                                                                                                                                                                                                                                                                                                         |
| 04/24/1992 | 1304 | SEALED DOCUMENT placed in vault as per order of LBS dated 6/24/92. Contents: sites (emil) (Entered: 05/04/1992)                                                                                                                                                                                                                                                                                            |
| 04/28/1992 | 1302 | Transcript of record of proceedings filed for dates of 2/20/92 (emil) (Entered: 05/01/1992)                                                                                                                                                                                                                                                                                                                |
| 04/29/1992 | 1299 | ORDER, attached to this order is a transcript of a Yonkers City Council meeting for entry on the docket to be listed as a Court Exhibit ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 04/29/1992)                                                                                                                                                                                    |
| 04/29/1992 | 1300 | Copy of Transcript of record of proceedings filed for dates of 4/14/92 docketed as a Court Exhibit as per order of LBS (attached) (emil) (Entered: 04/29/1992)                                                                                                                                                                                                                                             |
| 04/29/1992 | 1301 | CORRECTED DECLARATION of Steven J. Routh Re: to summarize a significant portion – but by no means all – of the evidence that the Yonkers Board is prepared to present at trial in this action (emil) (Entered: 04/30/1992)                                                                                                                                                                                 |
| 04/30/1992 | 1303 | NOTICE OF MOTION for an order requiring the named defts to pay the reasonable and necessarily incurred attys fees for their counsel in the the sum of \$27,230 and their litigation-related expenses in the sum of \$2,093.75 for the period 10/27/91 to 4/27/92 , Return date 5/18/92. Affirmation in support is attached (emil) (Entered: 05/04/1992)                                                    |
| 05/04/1992 |      | Pre-trial conference held (emil) (Entered: 05/18/1992)                                                                                                                                                                                                                                                                                                                                                     |
| 05/12/1992 | 1305 | ORDER, attached to this order is a transcript of a Yonkers City Council meeting for entry on the docket to be listed as a Court Exhibit ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 05/13/1992)                                                                                                                                                                                    |
| 05/12/1992 | 1305 | Transcript of a Yonkers City Council meeting filed for dates of 2/26/92 (emil) (Entered: 05/13/1992)                                                                                                                                                                                                                                                                                                       |
| 05/19/1992 |      | Memo endorsed on motion; granting [1303-1] motion for an order requiring the named defts to pay the reasonable and necessarily incurred attys fees for their counsel in the the sum of \$27,230 and their litigation-related expenses in the sum of \$2,093.75 for the period 10/27/91 to 4/27/92 ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 05/20/1992)                         |
| 05/26/1992 | 1306 | Appeal reinstated. by City of Yonkers USCA NUMBER: 91-6306 (emil) (Entered: 05/27/1992)                                                                                                                                                                                                                                                                                                                    |
| 06/04/1992 | 1307 | Filed Memo-Endorsement on letter dated 6/1/92, set motion for an order transmitting the proposed Order to the Court filing deadline for 6/9/92 ( signed by Judge Leonard B. Sand ) (emil) (Entered: 06/05/1992)                                                                                                                                                                                            |
| 06/08/1992 | 1308 | REPLY AFFIRMATION in support of Marion R. Buchbinder, Mary Alice Kendall, Gerald L. Freeborne, J. Francis O'Connor, Richard J. Sauer, Robert D. Stone, Jan W. Yablow, Stephen Jacoby, Gerald Lenaz, William Pincus, R. Lillian Ratner, Nancy Travers, and Louis Winnick Re: added State and UDC defts' motion for summary judgment dismissing the cross-claim of the Yonkers Board of Ed & the 2nd amended |

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|            |      | complaint fld by the plttf-intervenors. Fld in night dep. on 6/8/92 at 5:31 p.m. (emil) (Entered: 06/09/1992)                                                                                                                                                                                                                                                                                                                                                              |
| 06/08/1992 | 1309 | REPLY AFFIDAVIT of David Rindskopf. Fld in night dep. on 6/8/92 at 5:30 p.m. (emil) Modified on 06/09/1992 (Entered: 06/09/1992)                                                                                                                                                                                                                                                                                                                                           |
| 06/08/1992 | 1310 | REPLY MEMORANDUM of added State and UDC defts in support of motion for summary judgment (Volumes I and II). Fld in night dep. on 6/8/92 at 5:30 p.m. (emil) (Entered: 06/09/1992)                                                                                                                                                                                                                                                                                          |
| 06/08/1992 | 1311 | Rule 3(g) statement filed by State and UDC defts. Fld in night dep. on 6/8/92 at 5:29 p.m. (emil) (Entered: 06/09/1992)                                                                                                                                                                                                                                                                                                                                                    |
| 06/10/1992 | 1312 | NOTICE OF MOTION by City of Yonkers to amend its pending cross-motion to vacate or modify certain aspects of this Court's remedial orders and further moves to enter the Modified Long Term Plan Order, annexed as Exhibit A , Return date not indicated (emil) (Entered: 06/11/1992)                                                                                                                                                                                      |
| 06/12/1992 | 1313 | ORDER, attached to this Order is a transcript of a Yonkers City Council meeting for entry on the docket to be listed as a Court Exhibit in this case ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 06/15/1992)                                                                                                                                                                                                                                       |
| 06/12/1992 | 1314 | Uncertified Transcript of record of proceedings filed for dates of 4/28/92, filed as per order of LBS (see doc. #1313) (emil) (Entered: 06/15/1992)                                                                                                                                                                                                                                                                                                                        |
| 06/23/1992 | 1315 | RESPONSE by United States of Ame Re: [1312-1] motion to amend its pending cross-motion to vacate or modify certain aspects of this Court's remedial orders and further moves to enter the Modified Long Term Plan Order, annexed as Exhibit A (emil) (Entered: 06/23/1992)                                                                                                                                                                                                 |
| 06/23/1992 | 1317 | ORDER, the Court will hear oral argument on the defts' motion to modify the long-term housing plan Order on 7/15/92 at 4:30 p.m. Any interested party wishing to make its views known to the Court shall submit such views in writing to the Court, w/ a copy to the parties, no later than 7/9/92 ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 06/30/1992)                                                                                         |
| 06/24/1992 | 1316 | AFFIDAVIT in opposition of Michael H. Sussman Re: Long Term Housing Order proposed by the City of Yonkers (emil) (Entered: 06/24/1992)                                                                                                                                                                                                                                                                                                                                     |
| 06/29/1992 | 1318 | MEMORANDUM of The Fair Housing Implementation Office re: evaluating the proposed modified long term order submitted by the City of Yonkers with its motions to amend its pending cross-motion to vacate or modify and to enter modified long term plan order (emil) (Entered: 07/01/1992)                                                                                                                                                                                  |
| 07/10/1992 | 1319 | MEMORANDUM OPINION # 70084, the Court will proceed to determine, after a trial on the merits, the question whether inadequately addressed vestiges of segregation remain in the Yonkers school system. The parties, after conferring with each other, are to advise the Court by 8/17/92 what witnesses and exhibits they will seek to introduce at such trial and its estimated duration ( Signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 07/10/1992) |
| 07/10/1992 | 1320 | ORDER, oral argument is rescheduled for 10:00 a.m. on 7/15/92. The argument will take place in Courtroom 601 ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 07/13/1992)                                                                                                                                                                                                                                                                               |
| 07/13/1992 | 1321 | DECLARATION of Raymond P. Fitzpatrick, Jr. in support of the motion of the City seeking entry of the Modified Long Term Plan Order tendered to the Court on 6/9/92 (emil) (Entered: 07/13/1992)                                                                                                                                                                                                                                                                            |
| 07/13/1992 | 1322 | AFFIRMATION in support of Terence M. Zaleski Re: Modified Long Term Plan Order submitted by the City now pending before this Court (emil) (Entered: 07/13/1992)                                                                                                                                                                                                                                                                                                            |
| 07/13/1992 | 1323 | AFFIDAVIT of Andrew J. Maniglia submitted on behalf of deft City of Yonkers (emil) (Entered: 07/13/1992)                                                                                                                                                                                                                                                                                                                                                                   |
| 07/14/1992 | 1324 | ORDER, attached to this order is a transcript of a Yonkers City Council Meeting for entry on the docket to be listed as a Court Exhibit in this case ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 07/14/1992)                                                                                                                                                                                                                                       |

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| 07/14/1992 | 1325 | Transcript, to be listed as a Court Exhibit, of record of proceedings filed for dates of 5/12/92 (emil) (Entered: 07/14/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 07/29/1992 | 1326 | Transcript of record of proceedings filed for dates of 7/15/92 (emil) (Entered: 07/29/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 07/29/1992 | 1327 | Transcript of record of proceedings filed for dates of 6/18/92 (emil) (Entered: 07/29/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 07/29/1992 |      | Pre-trial conference held (emil) (Entered: 07/30/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 07/31/1992 | 1328 | MANDATE OF USCA (certified copy) Re: [1306-1] appeal by City of Yonkers (emil) (Entered: 08/03/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 08/06/1992 | 1329 | NOTICE OF APPEAL of defts. NYS; Governor of NYS; Board of Regents; State Education Dept; State Comm. of Ed; the Urban Development Corp; and the Director of the Urban Dev Corp. from [1319-1] order the Court will proceed to determine, after a trial on the merits, the question whether inadequately addressed vestiges of segregation remain in the Yonkers school system. The parties, after conferring with each other, are to advise the Court by 8/17/92 what witnesses and exhibits they will seek to introduce at such trial and its estimated duration . Copies of notice of appeal mailed to Attorney(s) of Record: Michael Sussman; Raymond Fitzpatrick; Sandra Beber; and Lawrence Thomas Esqs . (jf) Modified on 08/07/1992 (Entered: 08/07/1992) |
| 08/07/1992 |      | Notice of appeal and certified copy of docket to USCA: [1329-1] appeal ; Copy of notice of appeal sent to District Judge. (jf) (Entered: 08/07/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 09/08/1992 |      | Pre-trial conference held (emil) (Entered: 09/21/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 09/11/1992 | 1330 | ORDER, the level of CDBG funding for the AHTF shall be maintained at its original level of 25 percent of the City's total block grant entitlement and 25 percent of the City of Yonkers' CDBG entitlement for fiscal years 1990, 1991 and 1992 must be allotted to the FHIO for maintenance of the AHTF ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 09/14/1992)                                                                                                                                                                                                                                                                                                                                                                          |
| 09/21/1992 | 1331 | ORDER, none of the funds allocated to the AHTF from CDBG fiscal years 1990, 1991 and 1992 except funds required in the ordinary course of business may be encumbered, drawn down or expended by FHIO absent appropriate application to the court, notice to all parties and Court approval ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 09/22/1992)                                                                                                                                                                                                                                                                                                                                                                                       |
| 09/24/1992 |      | Pre-trial conference held (emil) (Entered: 10/06/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 09/29/1992 | 1332 | NOTICE OF MOTION by Yonkers Branch-Nat'l for attorney fees , Return date 10/8/92 (emil) (Entered: 09/30/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 09/29/1992 | 1333 | DESIGNATION of record on appeal (emil) (Entered: 09/30/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 09/29/1992 | 1334 | STIPULATION and ORDER, to transfer the second supplemental record on appeal ( signed by Judge Leonard B. Sand ). (emil) (Entered: 09/30/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 09/29/1992 | 1335 | STIPULATION and ORDER, to transferr the first supplemental record on appeal ( signed by Judge Leonard B. Sand ). (emil) (Entered: 09/30/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 09/30/1992 | 1336 | Notice that the original record on appeal has been certified and transmitted to the U.S. Court of Appeals: [1329-1] appeal (emil) (Entered: 09/30/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 09/30/1992 | 1337 | ORDER, the application of the City of Yonkers for the reopening of discovery as set forth in the letter of Raymond P. Fitzpatrick, Jr. dated 9/10/92 is granted, on the understanding and condition that all discovery will be completed in sufficient time to enable adherence to the April 5, 1993 trial date ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 10/01/1992)                                                                                                                                                                                                                                                                                                                                                                  |
| 10/01/1992 | 1338 | Transcript of record of proceedings filed for dates of July 29, 1992 (emil) (Entered: 10/01/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10/01/1992 | 1339 | Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals: [1329-1] appeal (emil) (Entered: 10/02/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| 10/08/1992 |      | Memo endorsed on motion; granting [1332-1] motion for attorney fees ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 10/15/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 10/29/1992 | 1340 | NOTICE OF APPEAL by City of Yonkers ; from [1330-1] order the level of CDBG funding for the AHTF shall be maintained at its original level of 25 percent of the City's total block grant entitlement and 25 percent of the City of Yonkers' CDBG entitlement for fiscal years 1990, 1991 and 1992 must be allotted to the FHIO for maintenance of the AHTF, [1337-1] order the application of the City of Yonkers for the reopening of discovery as set forth in the letter of Raymond P. Fitzpatrick, Jr. dated 9/10/92 is granted, on the understanding and condition that all discovery will be completed in sufficient time to enable adherence to the April 5, 1993 trial date . Copies of notice of appeal mailed to Attorney(s) of Record: Michael Sussman; Brian Heffernan; Warren Bennia; and Harold Rennett . (jf) (Entered: 11/04/1992) |
| 11/04/1992 |      | Notice of appeal and certified copy of docket to USCA: [1340-1] appeal by City of Yonkers ; Copy of notice of appeal sent to District Judge. (jf) (Entered: 11/04/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 11/16/1992 | 1341 | MANDATE OF USCA (certified copy) Re: [1340-1] appeal by City of Yonkers is dismissed (emil) (Entered: 11/17/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 11/18/1992 |      | Pre-trial conference held (emil) (Entered: 12/02/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 11/20/1992 | 1342 | NOTICE OF APPEAL by City of Yonkers ; from [1330-1] order the level of CDBG funding for the AHTF shall be maintained at its original level of 25 percent of the City's total block grant entitlement and 25 percent of the City of Yonkers' CDBG entitlement for fiscal years 1990, 1991 and 1992 must be allotted to the FHIO for maintenance of the AHTF, [1331-1] order none of the funds allocated to the AHTF from CDBG fiscal years 1990, 1991 and 1992 except funds required in the ordinary course of business may be encumbered, drawn down or expended by FHIO absent appropriate application to the court, notice to all parties and Court approval . Copies of notice of appeal mailed to Attorney(s) of Record: Michael Sussman; Brian Heffernan; Warren Bennia; and Harold Rennett . (jf) (Entered: 11/23/1992)                      |
| 11/25/1992 | 1343 | ORDER, the District shall, in September 1993 begin relocation of the business program currently housed at Saunders to Lincoln. School 32, which presently operates as a grades PreK-3 elementary school for gifted and talented children, is scheduled to be vacated when those students are moved to the Hawthorne School in September, 1993. The District will develop a transitional Montessori Junior High School Program for implementation at the Mark Twain Junior High School beginning in September, 1994 ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 11/27/1992)                                                                                                                                                                                                                                                 |
| 12/07/1992 | 1344 | ORDER from USCA, 2nd Circuit, motion for reinstatement of appeal is granted (Clerk, USCA); Copies mailed (emil) (Entered: 12/08/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 12/10/1992 |      | Pre-trial conference held (rag) (Entered: 12/16/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 12/17/1992 | 1345 | ORDER, having considered the arguments of counsel during the conference call of 12/10/92, the Court enters this order for limited confidentiality ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 12/18/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 12/17/1992 |      | Pre-trial conference held (emil) (Entered: 12/29/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 12/28/1992 | 1346 | Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals: [1342-1] appeal by City of Yonkers on 12/28/92. (rag) (Entered: 12/29/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 12/30/1992 | 1347 | ORDER, attached to this order are transcripts of Yonkers City Council meetings for entry on the docket to be listed as Court Exhibits in this case ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 12/31/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12/30/1992 | 1348 | Transcript of October 13, 1992 docketed as an Exhibit as per order of 12/30/92 (emil) (Entered: 12/31/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/30/1992 | 1349 | Transcript of October 27, 1992 docketed as an Exhibit as per order of 12/30/92 (emil) (Entered: 12/31/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/30/1992 | 1350 | Transcript of November 24, 1992 docketed as an Exhibit as per order of 12/30/92 (emil) (Entered: 12/31/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| 12/30/1992 | 1351 | STIPULATION and ORDER, designating record on appeal ( signed by Judge Leonard B. Sand ). (emil) (Entered: 12/31/1992)                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 01/06/1993 | 1352 | Transcript of record of proceedings filed for dates of September 8, 1992 (emil) (Entered: 01/06/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 01/14/1993 | 1353 | Notice that the 1st supplemental record on appeal has been certified and transmitted to the U.S. Court of Appeals. (emil) (Entered: 01/14/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 01/27/1993 |      | Pre-trial conference held (rag) (Entered: 02/23/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 02/04/1993 | 1354 | MANDATE OF USCA (certified copy) Re: [1329-1] appeal. The judgment of the district court is affirmed in part, and the appeal dismissed in part. (emil) (Entered: 02/08/1993)                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 02/08/1993 |      | Pre-trial conference held (emil) (Entered: 02/23/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/16/1993 |      | Pre-trial conference held (emil) (Entered: 02/23/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/01/1993 |      | Pre-trial conference held (emil) (Entered: 03/29/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/19/1993 | 1355 | Transcript of record of proceedings filed for dates of 12/10/92 (emil) (Entered: 03/19/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 03/19/1993 | 1356 | Transcript of record of proceedings filed for dates of 9/24/92 (emil) (Entered: 03/19/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/25/1993 | 1357 | NOTICE OF MOTION by Yonkers Branch-Nat'l for attorney fees and costs , Return date 4/8/93. Affirmation in support attached. (emil) (Entered: 03/25/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 04/06/1993 | 1358 | ORDER, that with the consent of the Yonkers Board of Education and without objection from any party, the proposal contained in Dr. Pastore's letter of 3/9/93 (proposing a revision in the fee and expense reimbursement provision for his services in this litigation) is adopted and approved. ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 04/06/1993)                                                                                                                                                                                                                   |
| 04/12/1993 |      | Memo endorsed on motion; granting [1357-1] motion for attorney fees and costs. This motion is granted without objection except that payment shall be make promptly in accordance with the fee processing procedures of the City's finance department and counsel for the City is to advise the Court in writing if payment is not made within 20 days from the date hereof advising the Court of the reasons why this has not occurred. The Court reserves the right, in such event, to order immediate payment ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 04/13/1993) |
| 04/15/1993 | 1359 | MANDATE OF USCA (certified copy) Re: [1342-1] appeal by City of Yonkers. The judgment of the district court is affirmed. (emil) (Entered: 04/15/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 05/04/1993 |      | Pre-trial conference held (emil) (Entered: 05/20/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 05/10/1993 | 1360 | Witness list by Yonkers Community De (emil) (Entered: 05/10/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 05/10/1993 | 1361 | Witness list by City of Yonkers (cd) (Entered: 05/10/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 05/12/1993 | 1362 | Witness list by Yonkers Branch-Nat'l (emil) (Entered: 05/12/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 05/14/1993 | 1363 | Transcript of record of proceedings filed for dates of 3/1/93 (rag) (Entered: 05/14/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/25/1993 |      | Pre-trial conference held (emil) (Entered: 05/28/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 05/26/1993 |      | Pre-trial conference held (emil) (Entered: 05/28/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 06/04/1993 | 1364 | COMMENTS of the U.S. regarding pending cross-motions to modify the Long Term Plan Order (emil) (Entered: 06/07/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 06/04/1993 | 1365 | PRETRIAL BRIEF of NAACP (emil) (Entered: 06/07/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 06/08/1993 | 1366 | NOTICE OF MOTION to intervene by Albert A. Walsh, Ann E. Walsh, Christine Grealy Brown, Jeanette Johnson, John Zilm, Judith Zilm, John Detone, Maureen Detone, William E. Sheerin, Patricia A. Sheerin, Georgette Stam, Patricia M. Taylor, Elizabeth T. Conlon, Edward J. Amato, Mary B. Amato, Francis T. Griffin, Joan I.                                                                                                                                                                                                                                                                     |

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|            |      | Griffin, George J. Moran, Elsa M. Moran, Alfred T. Lamberti, Donna Cetani, Barbara DeVito, Lawrence R. DeVito, Lorraine Sangenito, Ermalyn King, Edilbert Cabellas, Rowena Cabellas for the limited purpose of being heard w/ respect to the alternative Long Term Plan Order implementation proposals of the Yonkers Fair Housing Implementation Office and the City of Yonkers and the effect of those proposals on their property interests as taxpayers in the City of Yonkers and homeowners in the Crestwood neighborhood of that city , Return date 6/24/93. Affidavit in support attached. (emil) (Entered: 06/09/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 06/10/1993 |      | Non-Jury trial held (emil) (Entered: 06/28/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 06/11/1993 |      | Non-Jury trial held (emil) (Entered: 06/28/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 06/14/1993 |      | Non-Jury trial held (emil) (Entered: 06/28/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 06/15/1993 |      | Non-Jury trial held (emil) (Entered: 06/28/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 06/16/1993 |      | Non-Jury trial held (emil) Modified on 06/28/1993 (Entered: 06/28/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 06/21/1993 | 1367 | AFFIRMATION in opposition of Michael H. Sussman by Yonkers Branch-Nat'l Re: [1366-1] motion to intervene by Albert A. Walsh, Ann E. Walsh, Christine Grealy Brown, Jeanette Johnson, John Zilm, Judith Zilm, John Detone, Maureen Detone, William E. Sheerin, Patricia A. Sheerin, Georgette Stam, Patricia M. Taylor, Elizabeth T. Conlon, Edward J. Amato, Mary B. Amato, Francis T. Griffin, Joan I. Griffin, George J. Moran, Elsa M. Moran, Alfred T. Lamberti, Donna Cetani, Barbara DeVito, Lawrence R. DeVito, Lorraine Sangenito, Ermalyn King, Edilbert Cabellas, Rowena Cabellas for the limited purpose of being heard w/ respect to the alternative Long Term Plan Order implementation proposals of the Yonkers Fair Housing Implementation Office and the City of Yonkers and the effect of those proposals on their property interests as taxpayers in the City of Yonkers and homeowners in the Crestwood neighborhood of that city (emil) (Entered: 06/22/1993)                                                                                                                                                           |
| 06/29/1993 |      | Memo endorsed on motion; denying [1366-1] motion to intervene by Albert A. Walsh, Ann E. Walsh, Christine Grealy Brown, Jeanette Johnson, John Zilm, Judith Zilm, John Detone, Maureen Detone, William E. Sheerin, Patricia A. Sheerin, Georgette Stam, Patricia M. Taylor, Elizabeth T. Conlon, Edward J. Amato, Mary B. Amato, Francis T. Griffin, Joan I. Griffin, George J. Moran, Elsa M. Moran, Alfred T. Lamberti, Donna Cetani, Barbara DeVito, Lawrence R. DeVito, Lorraine Sangenito, Ermalyn King, Edilbert Cabellas, Rowena Cabellas for the limited purpose of being heard w/ respect to the alternative Long Term Plan Order implementation proposals of the Yonkers Fair Housing Implementation Office and the City of Yonkers and the effect of those proposals on their property interests as taxpayers in the City of Yonkers and homeowners in the Crestwood neighborhood of that city. This motion is denied without prejudice to the filing of the proposed defts-intervenors of briefs and affidavits amicus curiae by noon on 7/2/93 (signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 06/30/1993) |
| 07/01/1993 |      | Evidentiary hearing on issue of housing remedy on July 1, 2 & 6. Decision reserved. Hearing concluded 7/6/93 (Housing Remedy) (emil) (Entered: 07/16/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 07/07/1993 | 1368 | NOTICE OF MOTION by Yonkers Community De for an order: enjoining the debt City of Yonkers from implementing its budget for the 1993-94 fiscal year insofar as such budget appropriates to the Yonkers Board of Education the amount of approximately \$201 million, which amount is insufficient to permit the Yonkers Board of Education to provide educational programs and services in accordance w/ legal mandates and the remedial orders of this Court; directing the debt City of Yonkers to provide sufficient funding to the Yonkers Board of Education to enable the Board to continue to provide such programs and services; enjoining the NY State Emergency Financial Control Board from taking any action which would interfere w/ or inhibit such an appropriation from the City of Yonkers to the Yonkers Board of Education , Return date 7/15/93. Affidavit in support attached. (emil) (Entered: 07/08/1993)                                                                                                                                                                                                             |
| 07/07/1993 | 1369 | MEMORANDUM by Yonkers Community De in support of [1368-1] motion for an order: enjoining the debt City of Yonkers from implementing its budget for the 1993-94 fiscal year insofar as such budget appropriates to the Yonkers Board of Education the amount of approximately \$201 million, which amount is insufficient to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|            |      | permit the Yonkers Board of Education to provide educational programs and services in accordance w/ legal mandates and the remedial orders of this Court; directing the deft City of Yonkers to provide sufficient funding to the Yonkers Board of Education to enable the Board to continue to provide such programs and services; enjoining the NY State Emergency Financial Control Board from taking any action which would interfere w/ or inhibit such an appropriation from the City of Yonkers to the Yonkers Board of Education (emil) (Entered: 07/08/1993) |
| 07/08/1993 |      | Evidentiary hearing on question of whether any constitutionally remediable vestiges of discrimination remain in Yonkers school system (Education remedy) begun on July 8,9,12,13,14, & 15 and to be continued on 7/16/93 (emil) (Entered: 07/16/1993)                                                                                                                                                                                                                                                                                                                 |
| 07/09/1993 | 1370 | MEMORANDUM by United States of Ame re: responding to the Court's inquiry concerning the market component of the remedy (emil) (Entered: 07/09/1993)                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 07/09/1993 |      | Evidentiary hearing held on Education remedy following days: July 9, 12, 13–16, 19–23. Hearing concluded on 7/23/93. Decision reserved. (emil) (Entered: 08/02/1993)                                                                                                                                                                                                                                                                                                                                                                                                  |
| 07/12/1993 | 1371 | NOTICE OF MOTION by Yonkers Branch–Nat'l for attorney fees and necessary costs incurred in the prosecution of this litigation by plttf–intervenors for the time period March 23–July 7, 1993 , Return date 7/22/93. Affirmation in support attached. (emil) Modified on 09/13/1993 (Entered: 07/14/1993)                                                                                                                                                                                                                                                              |
| 07/12/1993 |      | Memo endorsed on motion (doc. #1368);, This matter is respectfully referred to Dr. Joseph Pastore w/ the consent of the parties to conduct such proceedings as he deems appropriate, reserving the right at any time to renew the application to the Court ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 07/14/1993)                                                                                                                                                                                                                           |
| 07/23/1993 | 1372 | ORDER... Attached to this Order is a transcript of a Yonkers City Council meeting for entry on the docket to be listed as a Count Exhibit in the above noted case: Tuesday January 12, 1993. SO ORDERED.. ( signed by Judge Leonard B. Sand ); Copies mailed (kk) (Entered: 07/26/1993)                                                                                                                                                                                                                                                                               |
| 07/23/1993 |      | Memo endorsed on motion; granting [1371–1] motion for attorney fees and necessary costs incurred in the prosecution of this litigation by plttf–intervenors for the time period March 23–July 7, 1993. This motion is granted without objection ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 07/27/1993)                                                                                                                                                                                                                                      |
| 07/26/1993 | 1373 | TRIAL BRIEF by City of Yonkers (emil) (Entered: 07/27/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 07/28/1993 | 1374 | MEMORANDUM by Yonkers Community De re: summarizing trends established by data, as to which there is no dispute, concerning housing, schools and population in Yonkers (emil) (Entered: 07/29/1993)                                                                                                                                                                                                                                                                                                                                                                    |
| 07/28/1993 | 1375 | MEMORANDUM by Yonkers Community De re: setting forth excerpts from Yonkers Board of Education exhibits 42 to 71 for trial on vestiges. (emil) (Entered: 07/29/1993)                                                                                                                                                                                                                                                                                                                                                                                                   |
| 07/30/1993 | 1376 | POST–TRIAL MEMORANDUM by Yonkers Community De re: vestiges and related issues (emil) (Entered: 08/02/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 07/30/1993 | 1377 | POST HEARING BRIEF by Yonkers Branch–Nat'l (emil) (Entered: 08/02/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 08/02/1993 | 1378 | POST–TRIAL BRIEF by City of Yonkers re: scope of proceedings. (emil) (Entered: 08/03/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 08/09/1993 | 1379 | State & UDC Defts POST HEARING BRIEF (emil) (Entered: 08/10/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 08/10/1993 | 1380 | REPLY by Yonkers Community De Re: [1379–1] opposition memorandum (emil) (Entered: 08/10/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 08/10/1993 | 1381 | AMENDED CERTIFICATE OF SERVICE by Yonkers Community of Post–Trial Memo of Law upon the following: Johnson, Barton, Proctor, Swedlaw & Naff; Assistant Atty. General Marion R. Buchbinder; Sussman & Sussman by Federal Express on 8/4/93 (emil) (Entered: 08/10/1993)                                                                                                                                                                                                                                                                                                 |
| 08/13/1993 | 1382 | REPLY MEMORANDUM by City of Yonkers in opposition re: request of Yonkers Board of Education for additional funding. (tr) (Entered: 08/16/1993)                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 08/17/1993 | 1383 | STATE DEFTS' REPLY POST HEARING BRIEF (emil) (Entered: 08/19/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 08/17/1993 |      | Pre-trial conference held (emil) (Entered: 08/26/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 08/20/1993 | 1384 | Transcript of record of proceedings filed for dates of 5/4/93 (rag) (Entered: 08/20/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 08/20/1993 | 1385 | Transcript of record of proceedings filed for dates of 5/25/93 (rag) (Entered: 08/20/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 08/27/1993 | 1386 | OPPOSITION of the Yonkers Board of Education to the State defts' implicit Motion to declare that the Yonkers Public Schools have achieved unitary status (emil) (Entered: 08/27/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 08/30/1993 | 1387 | MEMORANDUM OPINION # 72016, Although the limited scope of this phase of the proceedings does not encompass an overall consideration of fiscal matters, it is appropriate to note, placing these issues in context, that Yonkers has had a long history of fundings its school system less generously than its more affluent Westchester neighbors. Because Yonkers has offered lower starting salaries than other Westchester communities or nearby NYC, has endured repeated budget crises, and perhaps because of the political and social turmoil which has been a part of Yonkers life for so long, teacher recruitment has not been easy. According to Assistant Supt. Joseph Michael Guerney, Yonkers spends less per capita for education than any other community in Westchester and would continue to do so even if the entire burden of funding EIP II were placed upon the City. Operating in this fiscal context and in a city which has in the past resisted housing desegregation efforts w/ astonishing tenacity, the YBE's task of integrating its long segregated school system is indeed a formidable one. We find that the YBE, its former Supt., Dr. Joan Raymond, and her successor, Dr. Donald Batista, and their staffs, addressed this task w/ enthusiasm and a sincere desire to make EIP I succeed. This case is markedly different from the many cases in which further relief is sought by class representative because the managers of the City's school system have been either passive or half-hearted in their efforts to desegregate. We are satisfied that Dr. Batista's evaluation of the problems confronting the YBE in its efforts to eradicate vestiges of segregation is an accurate one. We find that although minority students in Yonkers attend school in the same buildings as majority students, they are undergoing different educational experiences. Proof of this lies, we believe, in the data shown w/ respect to achievement scores, suspensions, retentions and drop-out rates. We emphasize that we have answered the three questions posed in our 7/10/92 Opinion only and have not addressed any questions relating to the State's liability for the existence of these conditions nor any question relating to the relative responsibility of the City and State. These further questions will be addressed at the next stage of these proceedings. The parties are to confer and advise the Court in writing by 10/4/93 when they will be ready to proceed to trial on the remaining questions ( Signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 08/31/1993) |
| 09/01/1993 | 1388 | ORDER, The 1993-94 City of Yonkers budget shall not be altered but the Yonkers Board of Education shall put in place an interim spending plan for 1993-94 which will enable the Board to spend at an annualized rate of \$203.6 million pending the determination of this motion. The Board of Education's decision to implement the interim spending plan by reducing its accrual for the NY Teachers Retirement System for 1993-94 by the amount of \$6.9 million is approved. In the event that this Court shall determine that the Yonkers Board of Education has sufficient funding at some level below \$203.6 million, then the Yonkers Board of Education will amend its 1993-94 budget plan retroactively ( signed by Judge Sonia Sotomayor ); Copies mailed (emil) (Entered: 09/02/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 09/03/1993 | 1389 | NOTICE OF MOTION by Yonkers Branch-Nat'l for attorney fees & costs in the sum of \$46,488.67 , Return date 9/16/93. Affirmation in support attached. (emil) Modified on 09/13/1993 (Entered: 09/03/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/10/1993 | 1390 | MEMORANDUM of state defts. in opposition to [1389-1] motion for attorney fees & costs in the sum of \$46,488.67 (emil) (Entered: 09/13/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 09/10/1993 | 1391 | AFFIDAVIT in opposition of Stephen M. Jacoby by state defts. Re: [1389-1] motion for attorney fees & costs in the sum of \$46,488.67 (emil) (Entered: 09/13/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| 09/10/1993 |      | Pre-trial conference held (tr) (Entered: 09/23/1993)                                                                                                                                                                                                                                                                                                                                                                 |
| 09/14/1993 | 1392 | AFFIDAVIT in opposition of Raymond P. Fitzpatrick, Jr. by City of Yonkers Re: [1389-1] motion for attorney fees & costs in the sum of \$46,488.67 (tr) (Entered: 09/14/1993)                                                                                                                                                                                                                                         |
| 09/16/1993 | 1393 | AFFIDAVIT of Lawrence W. Thomas by Yonkers Community De Re: application by counsel for the NAACP and the response by the deft City of Yonkers (emil) (Entered: 09/17/1993)                                                                                                                                                                                                                                           |
| 09/16/1993 | 1394 | Reply affidavit of Michael H. Sussman by Yonkers Branch-Nat'l in support of intervenors' motion for reasonable fees and costs (emil) (Entered: 09/17/1993)                                                                                                                                                                                                                                                           |
| 09/16/1993 | 1395 | Filed Memo-Endorsement on letter dated 8/16/93, Block 6175, Lot 41 is released from this Court's prior "Freeze Order" ( signed by Judge Leonard B. Sand ) (emil) (Entered: 09/17/1993)                                                                                                                                                                                                                               |
| 09/21/1993 | 1396 | ORDER, The difference of \$9.6 million between the operating budget of \$210.5 million, as requested by the Board, and the \$200.9 million previously appropriated to the Board of Education by the City of Yonkers for fiscal year 1993-1994, shall be made up in the format of this order ( signed by Judge Leonard B. Sand ); Copies mailed (tr) (Entered: 09/21/1993)                                            |
| 09/23/1993 | 1397 | POST-TRIAL BRIEF by United States of America regarding structure and process of implementation of The Long Term Plan (emil) (Entered: 09/23/1993)                                                                                                                                                                                                                                                                    |
| 09/23/1993 | 1398 | MEMORANDUM by United States of America regarding condemnation of sponsor-held units in cooperatives (emil) (Entered: 09/23/1993)                                                                                                                                                                                                                                                                                     |
| 09/23/1993 | 1399 | MEMORANDUM by City of Yonkers in support of entry of its Proposed Modified Long Term Plan Order. (emil) (Entered: 09/23/1993)                                                                                                                                                                                                                                                                                        |
| 09/24/1993 | 1400 | ORDER, the City of Yonkers is ordered to increase the salary of Karen V. Hill, Executive Director of the Fair Housing Implementation Office to \$90,000 per year, effective 7/1/93 ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 09/27/1993)                                                                                                                                                   |
| 09/29/1993 |      | Pre-trial conference held (rag) (Entered: 09/29/1993)                                                                                                                                                                                                                                                                                                                                                                |
| 10/05/1993 | 1401 | SUPPLEMENTAL LONG TERM PLAN ORDER adopting additional remedial measures ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 10/05/1993)                                                                                                                                                                                                                                                              |
| 10/06/1993 | 1402 | SEALED DOCUMENT placed in vault (sp) (Entered: 10/06/1993)                                                                                                                                                                                                                                                                                                                                                           |
| 10/08/1993 | 1403 | ORDER, the Court will proceed to the trial of the question of the liability of the Added State Defts on 1/17/94. The parties are to confer further to see if they can agree on a discovery schedule for the remaining items of discovery. If they cannot agree, the Court is to be advised promptly and will take appropriate action ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 10/12/1993) |
| 10/08/1993 | 1404 | ORDER, regarding compensation to be paid to the Executive Director of the Fair Housing Implementation Office and two of its staff members ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 10/12/1993)                                                                                                                                                                                            |
| 10/13/1993 | 1405 | Transcript of record of proceedings filed for dates of June 16, 28, 29, 1993 (emil) (Entered: 10/13/1993)                                                                                                                                                                                                                                                                                                            |
| 10/13/1993 | 1406 | Transcript of record of proceedings filed for dates of June 10, 11, 14,15, 1993 (emil) (Entered: 10/13/1993)                                                                                                                                                                                                                                                                                                         |
| 10/13/1993 | 1407 | Transcript of record of proceedings filed for dates of June 30, July 1, 2, 6, 13 (emil) (Entered: 10/13/1993)                                                                                                                                                                                                                                                                                                        |
| 10/15/1993 | 1408 | Transcript of record of proceedings filed for dates of July 14,15,16,19,1993 (rag) (Entered: 10/15/1993)                                                                                                                                                                                                                                                                                                             |
| 10/15/1993 | 1409 | Transcript of record of proceedings filed for dates of July 20,21,22,23,1993 (rag) (Entered: 10/15/1993)                                                                                                                                                                                                                                                                                                             |

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| 10/15/1993 | 1410 | Transcript of record of proceedings filed for dates of July 8,9,12,13,1993 (rag) (Entered: 10/15/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 10/18/1993 |      | Pre-trial conference held (emil) (Entered: 11/05/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 10/22/1993 | 1411 | ORDER, purs. to Section I of the Supplemental Long Term Plan Order of this Court dated 10/5/93, and Rule 53 of the FRCP, the Court appoints Marilyn Melkonian to be the Housing Special Master. This appointment is to take effect immediately ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 10/25/1993)                                                                                                                                                                                                                                                                                                                |
| 10/22/1993 |      | Pre-trial conference held (emil) (Entered: 11/05/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 10/28/1993 | 1412 | ORDER, payment of the invoices forwarded to the Court on behalf of FHIO by Warren J. Bennia in his letter of 10/13/93 is approved. All future FHIO contracts and commitments for sums in excess of \$500 shall be submitted to the HSM prior to the execution or committent ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 10/28/1993)                                                                                                                                                                                                                                                                                   |
| 11/04/1993 | 1413 | ORDER, The City of Yonkers shall pay within 20 days of this order the sum of \$8,970.17 in atty's fees and costs to Michael H. Sussman, counsel for intervenors. This is the amount applicable to work plttf intervenors' counsel has performed on aspects of the case unrelated to the vestiges proceeding in the referenced time period. See, Affirmation in Opposition of City of Yonkers dated 9/10/93. The bulk of the application is denied as premature without prejudice to renewal upon conclusion of further proceedings in the vestiges litigation ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 11/08/1993) |
| 11/09/1993 | 1414 | NOTICE OF MOTION by Thomas Sobol, State of New York, Vincent Tese, James McCabe, Edward Meyer, Samuel Pierce, Louise P Matteoni, Floyd S Linton, Mimi Levenlieber, Emlyn I Griffith, Norma Gluck, Thomas Frey, City of Yonkers, Lora Bradley Chodos, R Carlos Carballada, Shirley C Brown, Board of Regents of, Jorge L Battista, Martin C Barrell, Mario Cuomo, United States of Ame to renew motion for summary judgment , Return date 12/2/93. Affidavit in support attached. (emil) (Entered: 11/09/1993)                                                                                                                                 |
| 11/09/1993 | 1415 | MEMORANDUM by Thomas Sobol, State of New York, Vincent Tese, James McCabe, Edward Meyer, Samuel Pierce, Louise P Matteoni, Floyd S Linton, Mimi Levenlieber, Emlyn I Griffith, Norma Gluck, Thomas Frey, City of Yonkers, Lora Bradley Chodos, R Carlos Carballada, Shirley C Brown, Board of Regents of, Jorge L Battista, Martin C Barrell, Mario Cuomo, United States of Ame in support of [1414-1] motion to renew motion for summary judgment (emil) (Entered: 11/09/1993)                                                                                                                                                               |
| 11/12/1993 | 1416 | Transcript of record of proceedings filed for dates of 9/17/93 (emil) (Entered: 11/12/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11/12/1993 | 1417 | Transcript of record of proceedings filed for dates of 9/10/93 (emil) (Entered: 11/12/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11/12/1993 | 1418 | Transcript of record of proceedings filed for dates of 9/29/93 (emil) (Entered: 11/12/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11/18/1993 |      | Pre-trial conference held (emil) (Entered: 12/09/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 11/30/1993 | 1419 | MEMORANDUM of The State of NY defts in opposition to [1414-1] motion to renew motion for summary judgment (emil) (Entered: 11/30/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/01/1993 | 1420 | NOTICE OF APPEAL by City of Yonkers ; from [1401-1] order . Copies of notice of appeal mailed to Attorney(s) of Record: Michael Sussman; Christopher Shaheen. (jf) (Entered: 12/02/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 12/02/1993 |      | Notice of appeal and certified copy of docket to USCA: [1420-1] appeal by City of Yonkers ; Copy of notice of appeal sent to District Judge. (jf) (Entered: 12/02/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 12/02/1993 | 1421 | ORDER, Paragraph VI of the Court's 10/5/93 Supplemental Long Term Plan Order is amended to replace the words "FY 1994" on page 13 of the order w/ "FY 1993". ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 12/03/1993)                                                                                                                                                                                                                                                                                                                                                                                                  |

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| 12/02/1993 | 1422 | Filed Memo-Endorsement on letter dated 11/29/93, bills presented in this letter are adopted and approved and are to be paid ( signed by Judge Leonard B. Sand ) (emil) (Entered: 12/03/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 12/08/1993 | 1423 | ORDER, the City of Yonkers shall make the additional appropriations for TRS liabilities to the YBOE according to the schedule listed in this order ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 12/09/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/15/1993 |      | Pre-trial conference held (emil) (Entered: 12/23/1993)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 01/10/1994 | 1424 | Yonkers Board of Education's OPPOSITION to the State defts' Motion to renew their summary judgment motion (emil) (Entered: 01/11/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 01/19/1994 | 1425 | Reply affidavit of Marion R. Buchbinder by added State and UDC defts in support of said defts' motion to renew their motion for summary judgment dismissing the cross-claim of the Yonkers Board of Education and the second amended complaint filed by plttf-intervenors (emil) (Entered: 01/19/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 01/19/1994 | 1426 | REPLY MEMORANDUM of added state and UDC defts in support re: [1414-1] motion to renew motion for summary judgment (emil) (Entered: 01/19/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 01/19/1994 | 1427 | Notice that the original record on appeal has been certified and transmitted to the U.S. Court of Appeals: [1420-1] appeal by City of Yonkers (emil) (Entered: 01/20/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 01/19/1994 | 1429 | AFFIDAVIT in support of Melvin Julis by State & UDC defts Re: [1269-1] motion for summary judgment (emil) (Entered: 01/24/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/21/1994 | 1428 | STIPULATION and ORDER, The record on appeal for the appeal docketed as No. 93-6342 shall consist only of a cert. copy of the docket sheet entries in the dist. court, together w/ all documents on the attached List A of items designated from the cert. list of docket entries entered by the Clerk of the Dist. Court, as may hereafter be supplemented. The Clerk is authorized to accept for filing and docketing the documents marked w/ an asterisk on the attached List A, which were presented to the court at or about the time they were dated, but not docketed at the time of their presentation to the Court. The remaining items listed on the cert. copy of docketed entries in 80 CV 6761 shall remain in the district court unless thereafter the Court of Appeals shall order or any party shall request, without the requirement of a further stip, their transmittal to the Court of Appeals. A full set of the exhibits received by the Court at the hearing in this proceeding will be submitted to the Court of Appeals as a part of the record ( signed by Judge Leonard B. Sand ). (emil) (Entered: 01/24/1994) |
| 01/25/1994 |      | Memo endorsed on motion; denying [1414-1] motion to renew motion for summary judgment ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 01/26/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 01/25/1994 | 1430 | Filed Memo-Endorsement on letter dated 1/14/94, the property referred to in this letter is hereby released from the Court ordered freeze, without objection by any interested parties ( signed by Judge Leonard B. Sand ) (emil) (Entered: 01/26/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 02/18/1994 | 1431 | NOTICE OF APPEAL of defts. State of NY, Gov. of NYS, Board of Regents NYS, thwe State Education Dept., and the State Comm. of Education ; from [1430-1] order the property referred to in this letter is hereby released from the Court ordered freeze, without objection by any interested parties . Copies of notice of appeal mailed to Attorney(s) of Record: Steven Roth, Sandra Beber, Michael Sussman, and Raymond Fitzpatrick . (jf) (Entered: 02/22/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 02/18/1994 | 1432 | Filed Memo-Endorsement on letter dated 2/14/94, treating this letter as an application for a stay pending appeal, the stay is denied ( signed by Judge Leonard B. Sand ) (emil) (Entered: 02/22/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 02/22/1994 |      | Notice of appeal and certified copy of docket to USCA: [1431-1] appeal ; Copy of notice of appeal sent to District Judge. (jf) (Entered: 02/22/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 02/25/1994 | 1433 | AMENDED NOTICE OF APPEAL of State of NY, Gov. of NYS, Bd. of Regents, State Edu. Dept., St. Comm. of Ed., and named members of Bd of Regents ; from [1430-1] order the property referred to in this letter is hereby released from the Court ordered freeze, without objection by any interested parties . Copies of notice of appeal mailed to Attorney(s) of Record: Steven Routh, Sandra Beber, Michael Sussman, and Raymond Fitzpatrick . (jf) (Entered: 02/28/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| 02/25/1994 | 1434 | Notice that the 1st supplemental record on appeal has been certified and transmitted to the U.S. Court of Appeals (emil) (Entered: 03/01/1994)                                                                                                                                                                                                                                                                                                                       |
| 02/28/1994 |      | Notice of appeal and certified copy of docket to USCA: [1433-1] appeal ; Copy of notice of appeal sent to District Judge. (jf) (Entered: 02/28/1994)                                                                                                                                                                                                                                                                                                                 |
| 03/08/1994 | 1435 | ORDER, The Court will convene a conference as soon as the Court of Appeals responds in any fashion to the State's pending motion. In the event that the Court of Appeals has not yet responded, we shall hold a conference on 4/4/94. All of the Court's prior discovery rulings and directives remain in full force and effect and may not be unilaterally disregarded by any party ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 03/09/1994) |
| 03/18/1994 | 1436 | Transcript of record of proceedings filed for dates of 12/15/93 (tr) (Entered: 03/18/1994)                                                                                                                                                                                                                                                                                                                                                                           |
| 03/21/1994 | 1437 | Transcript of record of proceedings filed for dates of 11/18/93 (rag) (Entered: 03/28/1994)                                                                                                                                                                                                                                                                                                                                                                          |
| 03/29/1994 |      | Pre-trial conference held (emil) (Entered: 04/05/1994)                                                                                                                                                                                                                                                                                                                                                                                                               |
| 03/30/1994 | 1438 | MANDATE OF USCA (certified copy) Re: motion for a stay of pre-trial proceedings & trial appeal of 11th Amend. issue is denied (emil) (Entered: 03/30/1994)                                                                                                                                                                                                                                                                                                           |
| 04/01/1994 | 1439 | MANDATE OF USCA (certified copy) Re: [1420-1] appeal by City of Yonkers. Motion to dismiss appeal granted. (emil) (Entered: 04/04/1994)                                                                                                                                                                                                                                                                                                                              |
| 04/06/1994 | 1440 | AFFIDAVIT in opposition of Marion R. Buchbinder by added State and UDC defts Re: Board of Education's proposed order w/ respect to requests for admissions and in support of the proposed order of the State and UDC defts (emil) (Entered: 04/07/1994)                                                                                                                                                                                                              |
| 04/06/1994 | 1441 | MEMORANDUM of State and UDC defts in opposition to request by Yonkers Board of Education to have requests deemed admitted (emil) (Entered: 04/07/1994)                                                                                                                                                                                                                                                                                                               |
| 04/12/1994 | 1442 | ORDER, regarding the Requests for Admission of the Yonkers Board of Education that are being admitted. Defts may, as part of the defts' case, seek leave, purs. to Rule 36(b), to withdraw the admissions and introduce evidence to refute any fact deemed admitted purs. to this Order ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 04/13/1994)                                                                                              |
| 04/12/1994 |      | Pre-trial conference held (emil) (Entered: 04/21/1994)                                                                                                                                                                                                                                                                                                                                                                                                               |
| 04/20/1994 |      | Bench trial held (emil) (Entered: 04/28/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 04/21/1994 |      | Bench trial held (emil) (Entered: 04/28/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 04/26/1994 |      | Bench trial held (emil) (Entered: 04/28/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 04/27/1994 |      | Bench trial held (emil) (Entered: 04/28/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 04/28/1994 |      | Bench trial held (emil) (Entered: 04/28/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/10/1994 | 1443 | Transcript of record of proceedings filed for dates of 1/20/94 (rag) (Entered: 05/10/1994)                                                                                                                                                                                                                                                                                                                                                                           |
| 05/12/1994 |      | Memorandum to Docket Clerk: Non-Jury Trial continued 5/2,3,4, and adjourned to 5/9/94, 5/10/94, 5/11/94, 5/12/94 and adj. to 5/16. (kg) (Entered: 05/12/1994)                                                                                                                                                                                                                                                                                                        |
| 05/16/1994 |      | Bench trial held (emil) (Entered: 06/02/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/17/1994 |      | Bench trial held (emil) (Entered: 06/02/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/18/1994 |      | Bench trial held (emil) (Entered: 06/02/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/19/1994 |      | Bench trial held (emil) (Entered: 06/02/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/23/1994 |      | Bench trial held (emil) (Entered: 06/02/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/24/1994 |      | Bench trial held (emil) (Entered: 06/02/1994)                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 05/25/1994 |      | Bench trial held (emil) (Entered: 06/02/1994)                                                                                                                                                                                                                                                                                                                                                                                               |
| 05/31/1994 | 1444 | NOTICE OF MOTION by Yonkers Branch-Nat'l for attorney fees & litigation costs , Return date 6/10/94. Affirmation in support attached. (emil) (Entered: 06/01/1994)                                                                                                                                                                                                                                                                          |
| 06/08/1994 | 1445 | ORDER, regarding the Judge's rulings w/ respect to the request by the Yonkers Board of Education for admission of the seven documents set forth in its letter of 6/1/94 which the Court has marked "Ct Ex I 6/6/94." Admission of these exhibits is opposed by the State as set forth in its letter of 6/1/94 which the Court has marked "Ct Ex II 6/6/94." ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 06/09/1994) |
| 06/15/1994 |      | Memo endorsed on motion; granting [1444-1] motion for attorney fees & litigation costs ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 06/16/1994)                                                                                                                                                                                                                                                                     |
| 06/28/1994 | 1446 | POST-TRIAL MEMORANDUM by City of Yonkers concerning issues of State Liability (emil) (Entered: 06/29/1994)                                                                                                                                                                                                                                                                                                                                  |
| 06/28/1994 | 1447 | POST TRIAL BRIEF by Yonkers Board of Edu re: State Liability Issues. (dvg) (Entered: 06/30/1994)                                                                                                                                                                                                                                                                                                                                            |
| 06/28/1994 | 1448 | PROPOSED FINDINGS OF FACT by Yonkers Board of Education re:State Liability issues. (dvg) (Entered: 06/30/1994)                                                                                                                                                                                                                                                                                                                              |
| 06/28/1994 | 1449 | POST TRIAL BRIEF by Urban Development Co, State of New York re: Liability (dvg) (Entered: 06/30/1994)                                                                                                                                                                                                                                                                                                                                       |
| 06/30/1994 | 1450 | POST-TRIAL BRIEF by Yonkers Branch-Nat'l (emil) (Entered: 07/01/1994)                                                                                                                                                                                                                                                                                                                                                                       |
| 07/11/1994 | 1451 | COMMENTS of the City of Yonkers in response to monitor's advisory opinion re: budget review (emil) (Entered: 07/11/1994)                                                                                                                                                                                                                                                                                                                    |
| 08/02/1994 |      | Pre-trial conference held (emil) (Entered: 09/13/1994)                                                                                                                                                                                                                                                                                                                                                                                      |
| 08/12/1994 | 1452 | MANDATE OF USCA (certified copy) Re: [1433-1] appeal, [1431-1] appeal: It is hereby ordered, adjudged and decreed that the judgment of the district court be and it hereby is affirmed in accordance with the opinion of this court with costs to be taxed against the appellant. GEORGE LANGE III, CLERK, U.S.C.A. (em) (Entered: 08/12/1994)                                                                                              |
| 08/23/1994 | 1453 | Transcript of record of proceedings filed for dates of 3/29/94 (emil) (Entered: 08/24/1994)                                                                                                                                                                                                                                                                                                                                                 |
| 08/23/1994 | 1454 | Transcript of record of proceedings filed for dates of 4/12/94 (emil) (Entered: 08/24/1994)                                                                                                                                                                                                                                                                                                                                                 |
| 08/23/1994 | 1455 | Transcript of record of proceedings filed for dates of 4/7/94 (emil) (Entered: 08/24/1994)                                                                                                                                                                                                                                                                                                                                                  |
| 09/09/1994 | 1456 | ORDER, The sites listed on Exhibit A to this Order are to be released from all prior orders of the court freezing the transfer or disposition of city-owned lands in east or northwest Yonkers ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 09/12/1994)                                                                                                                                                              |
| 09/19/1994 | 1457 | ORDER, regarding modifications to the school district's educational programs ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 09/20/1994)                                                                                                                                                                                                                                                                                |
| 10/05/1994 | 1458 | Transcript of record of proceedings filed for dates of April 20,21,26,27,28,1994 (emil) (Entered: 10/06/1994)                                                                                                                                                                                                                                                                                                                               |
| 10/05/1994 | 1459 | Transcript of record of proceedings filed for dates of May 18,19,23,24,25,1994 (emil) (Entered: 10/06/1994)                                                                                                                                                                                                                                                                                                                                 |
| 10/05/1994 | 1460 | Transcript of record of proceedings filed for dates of May 11,12,16,17,1994 (emil) (Entered: 10/06/1994)                                                                                                                                                                                                                                                                                                                                    |
| 10/05/1994 | 1461 | Transcript of record of proceedings filed for dates of May 2,3,4,9,10,1994 (emil) (Entered: 10/06/1994)                                                                                                                                                                                                                                                                                                                                     |

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| 10/25/1994 | 1462 | NOTICE OF MOTION by Yonkers Branch–Nat'l to require deft Yonkers Board of Education to implement the High School Alternative Education Program, commencing as soon as is practicable, and to require deft City of Yonkers to provide funding requisite for implementation of said program , Return date 10/20/94. Affirmation in support attached. (emil) (Entered: 10/26/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 11/01/1994 | 1463 | OPPOSITION BRIEF by City of Yonkers re: [1462–1] motion to require deft Yonkers Board of Education to implement the High School Alternative Education Program, commencing as soon as is practicable, and to require deft City of Yonkers to provide funding requisite for implementation of said program, [1368–1] motion for an order: enjoining the deft City of Yonkers from implementing its budget for the 1993–94 fiscal year insofar as such budget appropriates to the Yonkers Board of Education the amount of approximately \$201 million, which amount is insufficient to permit the Yonkers Board of Education to provide educational programs and services in accordance w/ legal mandates and the remedial orders of this Court; directing the deft City of Yonkers to provide sufficient funding to the Yonkers Board of Education to enable the Board to continue to provide such programs and services; enjoining the NY State Emergency Financial Control Board from taking any action which would interfere w/ or inhibit such an appropriation from the City of Yonkers to the Yonkers Board of Education (emil) (Entered: 11/03/1994) |
| 11/04/1994 | 1464 | NOTICE OF MOTION by Yonkers Fed. of Teac for an order to require deft Yonkers Board of Education to implement the High School Alternative Education Program commencing as soon as praticable, and to require deft City of Yonkers to provide funding requisite for implementaion of said program , Return date 11/3/94 (emil) (Entered: 11/07/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 11/04/1994 | 1465 | RESPONSE by Yonkers Board of Edu to [1464–1] motion for an order to require deft Yonkers Board of Education to implement the High School Alternative Education Program commencing as soon as praticable, and to require deft City of Yonkers to provide funding requisite for implementaion of said program, [1462–1] motion to require deft Yonkers Board of Education to implement the High School Alternative Education Program, commencing as soon as is practicable, and to require deft City of Yonkers to provide funding requisite for implementation of said program (emil) (Entered: 11/07/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11/07/1994 | 1466 | ORDER, regarding amendment to the 9/21/93 Order ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 11/09/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 11/07/1994 |      | Memo endorsed on motion (doc. #1462);, Referred to Special Master Joseph Pastore to conduct such evidentiary proceedings as shall be appropriate and Report and Recommendation to the Court ( signed by Judge Leonard B. Sand ); Copies mailed. (emil) (Entered: 11/09/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 11/09/1994 | 1467 | AMENDED NOTICE OF MOTION by Yonkers Fed. of Teac for an order to require deft Yonkers Board of Education to implement the High School Alternative Educatio Prograum commencing as soon as is practicable, and to require deft City of Yonkers to provide funding requisite for implementation of said program , Return date 11/3/94 (emil) (Entered: 11/10/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/22/1994 | 1469 | ORDER, that the clerk of the court shall w/draw \$50,000.00 from the Court Registry Investment System to the Registry of the SDNY. The Clerk shall make a check in that amount payable to the Fair Housing Implementation Office of the City of Yonkers. (gave copy of order to Clerk's Office on 11/30/94) Original to Cashier's Office 12/2/94.. ( signed by Judge Leonard B. Sand ); Copies mailed (kg) Modified on 12/02/1994 (Entered: 11/30/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 11/28/1994 | 1468 | NOTICE OF MOTION by Yonkers Branch–Nat'l for reasonable attorney fees and litigation costs Return date 12/8/94 (dvg) (Entered: 11/29/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11/28/1994 | 1468 | AFFIDAVIT in support of Michael H. Sussman by Yonkers Branch–Nat'l Re: [1468–1] motion for reasonable attorney fees and litigation costs (dvg) (Entered: 11/29/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 11/30/1994 | 1470 | Filed Memo_Endorsement on letter from Marilyn Melkonian dated 11/23/94, recommends that a Task Order be issued for this scope of work & that it be authorized as an expenditure from the Affordable Housing Trust Fund for enviromental assessment services... APPLICATION GRANTED W/O OPPOSITION. THIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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|            |      | ENDORSEMENT SHALL HAVE THE EFFECT OF A TASK ORDER FOR THE INDICATED SCOPE OF WORK. PAYMENT SHALL BE AN AUTHORIZED EXPENDITURE FROM THE AFFORDABLE HOUSING TRUST FUND... SO ORDERED, SAND, J. ( signed by Judge Leonard B. Sand ) (mk) (Entered: 12/07/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 12/07/1994 | 1471 | STATUS REPORT by Yonkers Board of Education Daniel B. Kohrman, of Hogan & Hartson, L.L.P. (dvg) (Entered: 12/07/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/09/1994 | 1472 | Memo endorsed on motion; granting without opposition [1468-1] motion for reasonable attorney fees and litigation costs arising in this matter and requiring the defendants to pay said fees within twenty (20) days of said order. SO ORDERED: ( signed by Judge Leonard B. Sand ) (Received in unit on 12/20/94) (ae) (Entered: 12/21/1994)                                                                                                                                                                                                                                                                                                                                                                                                    |
| 12/16/1994 |      | RECEIVED CHECK NO . 380935 DATED 12/8/94 IN THE AMOUNT OF \$50,000.00 PAYABLE TO FAIR HOUSING IMPLEMENTATION OFFICE OF THE CITY OF YONKERS.. ENDORSED ON DOC# 1469... (kk) (Entered: 12/19/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 12/20/1994 | 1473 | Filed Memo-Endorsement on letter dated 12/5/94, The 11/3/94 order is amended to fix 1/15/95 as the interim report date ( signed by Judge Leonard B. Sand ) (emil) (Entered: 12/21/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/22/1994 | 1474 | Transcript of record of proceedings filed for dates of 10/31/94 (emil) (Entered: 12/22/1994)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 01/26/1995 | 1475 | ORDER, ordered that the Yonkers Board of Education shall implement an alternative education program at Lincoln High School during the second semester of the 1994-95 school year. The program shall commence on or about 1/30/95 and will consist of the Plan annexed hereto as Exhibit A, and ordered that funding for the program, in the amount of \$320,000 shall be provided from surplus from the Yonkers Board of Education 1993-94 budget. The City of Yonkers is directed to take such actions as may be required under NY State Law to appropriate the required amounts to the Board of Education from its fund balance for use in funding the program. ( signed by Judge Leonard B. Sand ); Copies mailed (kg) (Entered: 01/27/1995) |
| 02/07/1995 | 1476 | Transcript of record of proceedings filed for dates of November 3, 1994. (jr) (Entered: 02/08/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/01/1995 | 1477 | ORDER, issues to be raised by the YBE and NAACP's impleader action addressing the state of NY, see document ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 03/01/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/09/1995 | 1478 | BRIEF by Yonkers Board of Edu re: in response to the Court's Order of 2/28/95 on the Equal Education Opportunities Act [1477-1] order issues to be raised by the YBE and NAACP's impleader action the state of NY, see document. (lam) (Entered: 03/09/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 03/09/1995 | 1479 | Filed Memo-Endorsement on letter to Judge Sand from Marilyn Melkonian dated 2/27/95, In Re: writing to recommend the selection of a developer for the Yonkers Avenue site.....Recommendation adopted. ( signed by Judge Leonard B. Sand ) (kg) (Entered: 03/13/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 03/09/1995 | 1480 | Filed Memo_Endorsement on letter dated 2/27/95, request of the selection of a developer for the Hoover Road site is granted ( signed by Judge Leonard B. Sand ) (cd) (Entered: 03/13/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/09/1995 | 1481 | MEMORANDUM of LAW by Yonkers Branch-Nat'l re: on Applicability of 20 U.S.C. sec. 1701, et seq. (djc) (Entered: 03/14/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/15/1995 | 1482 | The State Defendants' BRIEF re: in Response to the Court's February 28, 1995 Order on the Equal Educational Opportunities Act. (djc) (Entered: 03/17/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/27/1995 | 1483 | MEMORANDUM OPINION # 74486, regarding the question of liability of the State and the UDC for the condition of unlawful de jure segregation with this Court has found to exist in the Yonkers Public School system...the City of Yonkers remains liable to deal with the segregation that it has caused in the Yonkers Public Schools;                                                                                                                                                                                                                                                                                                                                                                                                           |

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|            |      | parties to advise the Court in writing within 20 days from the date hereof as to how and when they wish to proceed with the remaining phases of this litigation ( Signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 03/27/1995)                                                                                                                                                                                                                                                                                                                            |
| 03/27/1995 | 1484 | fld exhibits 3 to 7 to the Buchbinder affidavit in opposition to the Board of Education's proposed order with respect to request for admissions... (cd) (Entered: 03/27/1995)                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/27/1995 | 1485 | fld exhibits 8 to 11 to the Buchbinder affidavit in opposition to the Board of Education's proposed order with respect to requests for admissions... (cd) (Entered: 03/27/1995)                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/28/1995 | 1486 | Post Trial MEMORANDUM by City of Yonkers (cd) (Entered: 03/29/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 04/05/1995 | 1487 | Transcript of record of proceedings filed for dates of 2/28/95 (cd) (Entered: 04/05/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 04/17/1995 | 1488 | NOTICE OF MOTION by Yonkers Branch-Nat'l, Yonkers Board of Edu for leave to amend Pleadings and for Supplementation of the Court's Opinion of 3/27/95 . Return date 4/27/95. (lam) (Entered: 04/21/1995)                                                                                                                                                                                                                                                                                                                                                                  |
| 04/17/1995 | 1489 | MEMORANDUM by Yonkers Branch-Nat'l, Yonkers Board of Edu in SUPPORT of [1488-1] motion for leave to amend Pleadings, [1488-2] motion for Supplementation of the Court's Opinion of 3/27/95 (lam) (Entered: 04/21/1995)                                                                                                                                                                                                                                                                                                                                                    |
| 04/18/1995 | 1490 | NOTICE OF MOTION by Yonkers Branch-Nat'l for attorney fees and litigation costs in the sum of \$17,800.80.. , Return date 5/4/95. (dj) (Entered: 04/25/1995)                                                                                                                                                                                                                                                                                                                                                                                                              |
| 04/18/1995 | 1490 | AFFIRMATION by Yonkers Branch-Nat'l Re: ..as to certain facts... (dj) (Entered: 04/25/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 05/09/1995 |      | Memo endorsed on motion; granting [1490-1] motion for attorney fees and litigation costs in the sum of \$17,800.80.. ( signed by Judge Leonard B. Sand ); Copies mailed. (jr) (Entered: 05/10/1995)                                                                                                                                                                                                                                                                                                                                                                       |
| 05/09/1995 | 1491 | Filed Memo-Endorsement on letter from Marilyn Melkonian to Judge Sand dated May 4, 1995, payment to FHIO for the six month extension of the options for 976 Warburton Avenue, Hoover Road, Rutland Road, Sweetfield Circle, and 737 Scarsdale Road shall be made on the condition that the negotiation of the extensions including the provision that such payments, subject to approval by the United States Department of Housing and Urban Development, count toward the purchase price of the property ( signed by Judge Leonard B. Sand ) (jr) (Entered: 05/10/1995) |
| 05/09/1995 | 1492 | ORDER, the Clerk of the Court shall w/draw \$50,000.00 from the Court Registry Investment System to the Registry of the SDNY. The Clerk shall make a check in that amount payable to the Fair Housing Implementation Office of the City of Yonkers. ( signed by Judge Leonard B. Sand );(gave a copy of doc. to Clerk's Office on 5/11/95) Copies mailed (kg) Modified on 05/11/1995 (Entered: 05/11/1995)                                                                                                                                                                |
| 05/09/1995 | 1493 | MEMORANDUM in opposition by Defts. State of NY, Governor, State Education Dept. ("SED"), Board of Regents, and State Commissioner of Education ("State depts") to [1488-1] motion for leave to amend Pleadings, [1488-2] motion for Supplementation of the Court's Opinion of 3/27/95 (ls) (Entered: 05/15/1995)                                                                                                                                                                                                                                                          |
| 05/18/1995 | 1495 | REPLY MEMORANDUM by Yonkers Branch-Nat'l, Yonkers Board of Edu IN SUPPORT OF their motion for leave to amend pleadings and for supplementation of the Court's Opinion of March 27, 1995 (ls) (Entered: 05/24/1995)                                                                                                                                                                                                                                                                                                                                                        |
| 05/22/1995 | 1494 | ORDER, the Yonkers Board of Education will open an elementary school in the classroom building of the Iona/Seton campus, in 9/95; the Yonkers Board of Education shall reopen the former School 24 facility for use as an elementary school in 9/96 ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 05/23/1995)                                                                                                                                                                                                                                         |
| 05/22/1995 | 1496 | Received Check No. 391574 Dated 5/10/95 in the amount of \$50,000.00 Payable to Fair Housing Implementation Office of The City of Yonkers. (ae) (Entered: 05/24/1995)                                                                                                                                                                                                                                                                                                                                                                                                     |

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| 05/25/1995 | 1497 | MEMORANDUM OPINION # 74486, to amend the opinion of 3/27/95 by adding Barry Schaevitz to the list of appearances of attys from the office of the Atty-Genl of the State of NY ( Signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 05/31/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 06/14/1995 | 1498 | MEMORANDUM OPINION # 74897, plttf's motion for a ruling that the state is liable under the EEOA and or title VI ius denied. The court finds that there is not just reason to delay entry of a final judgment on plttf's claims against the State , and accordingly directs the entry of a final judgment dismissing all claims against the State Defts purs. to FRCP....(ORG. TO JUDGMENT CLERK) ( Signed by Judge Leonard B. Sand ); Copies mailed. (gb) (Entered: 06/19/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 06/14/1995 | 1498 | Org to Judgment Clerk (gb) (Entered: 06/19/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 06/15/1995 |      | Memo endorsed on motion; mootng [1488-1] motion for leave to amend Pleadings; see opinion of 6/14/95 ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 06/21/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 06/23/1995 | 1499 | JUDGMENT... Ordered Adjudged and Decreed that the plttf's motion for a ruling that the State is liable under the EEOA and/or Title VI is denied and it is further Ordered that all claims against the State defts be and are hereby dismissed pur. to FRCivP 54(b).. JAMES M. PARKISON, CLERK; Mailed copies and notice of right to appeal. (kk) Modified on 06/26/1995 (Entered: 06/26/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 06/26/1995 | 1500 | NOTICE OF MOTION by City of Yonkers to amend or alter the judgment (rag) (Entered: 06/29/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 07/05/1995 | 1501 | NOTICE OF MOTION by City of Yonkers to alter or amend judgment. (djc) (Entered: 07/13/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 07/10/1995 | 1502 | RESPONSE by Yonkers Board of Edu Re: [1501-1] motion to alter or amend judgment. (djc) (Entered: 07/14/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 07/12/1995 | 1503 | ORDER granting [1501-1] motion pursuant to F.R.C.P. 59(e) to clarify its Order dated 6/14/95 and its Judgment entered on 6/26/95. As stated in its 6/14/95 Opinion, this Court finds that there is no just reason to delay entry of a final judgment on its 3/27/95 and 6/14/95 Opinions. Pursuant to F.R.C.P. 54(b), this Court accordingly directs the entry of a final judgment as to both of those Opinions and only those Opinions. SO ORDERED: ( signed by Judge Leonard B. Sand ) (Sent to Judgment Clerk on 7/17/95) (ae) (Entered: 07/17/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 07/17/1995 | 1504 | Transcript of record of proceedings filed for dates of 5/25/95 (cd) (Entered: 07/17/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 07/18/1995 |      | Memo endorsed on motion; granting [1501-1] motion to alter or amend judgment. As entered set forth in Opinion/Order dated 6/14/95. ( signed by Judge Leonard B. Sand ); (ae) (Entered: 07/24/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 07/24/1995 | 1505 | JUDGMENT,.....ORDERED, ADJUDGED AND DECREED: that the complaint is dismissed as to all defts and the Urban Development Corp. and its present director. This Judgment is entered purs. to Rule 54(b) of the FRCP. EOD:7/26/95 (SO ORDERED CLERK, JAMES M. PARKISON); Mailed copies and notice of right to appeal. (kg) (Entered: 07/26/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 07/26/1995 | 1506 | NOTICE OF APPEAL by Yonkers Board of Edu ; from [1483-1] order regarding the question of liability of the State and the UDC for the conditionof unlawful de jure segregation with this Court has found to exist in the Yonkers Public School system...the City of Yonkers remains liable to deal with the segregation that it has caused in the Yonkers Public Schools; parties to advise the Court in writing within 20 days from the date hereof as to how and when they wish to proceed with the remaining phases of this litigation, [1498-1] order plttf's motion for a ruling that the state is liable under the EEOA and or title VI is denied. The court finds that there is not just reason to delay entry of a final judgment on plttf's claims against the State , and accordingly directs the entry of a final judgment dismissing all claims against the State Defts purs. to FRCP....(ORG. TO JUDGMENT CLERK), and the [1505-1] judgment order . Copies of notice of appeal mailed to Attorney(s) of Record: Sandra L. Beber, Michael H. Sussman, Raymond P. Fitzpatrick, Jr. and Marion R. Buchbinder. . (em) (Entered: 07/31/1995) |

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| 07/31/1995 |      | Notice of appeal and certified copy of docket to USCA: [1506-1] appeal by Yonkers Board of Edu ; Copy of notice of appeal sent to District Judge. (em) (Entered: 07/31/1995)                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 07/31/1995 | 1507 | ORDER, The motion to enjoin the City of Yonkers from proceeding with the dissemination or circulation to taxpayers of tax levies is denied. SO ORDERED: ( signed by Judge Barrington D. Parker Jr. ); (ae) (Entered: 08/03/1995)                                                                                                                                                                                                                                                                                                                                                                           |
| 08/02/1995 | 1508 | DUPLICATE ORIGINAL ORDER TO SHOW CAUSE by United States of Ame requiring deft Yonkers to allocate \$237,556,056 to the Yonkers Board of Education for the 95-96 school year; the pertinent dates have been set by J. Sand ( signed by Judge Barrington D. Parker Jr. ); Copies mailed. (cd) (Entered: 08/07/1995)                                                                                                                                                                                                                                                                                          |
| 08/17/1995 | 1509 | NOTICE OF APPEAL ; from [1503-1] order by Yonkers Branch, NAACP, plaintiff-intervenors . Copies of notice of appeal mailed to Attorney(s) of Record: Sandra L. Beber, Esq., Marion R. Buchbinder, Esq., Raymond P. Fitzpatrick, Esq., Steven J. Routh, Esq. . (as) (Entered: 08/22/1995)                                                                                                                                                                                                                                                                                                                   |
| 08/22/1995 |      | Notice of appeal and certified copy of docket to USCA: [1509-1] appeal ; Copy of notice of appeal sent to District Judge. (as) (Entered: 08/22/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 08/30/1995 | 1510 | NOTICE OF MOTION by Michael Sussman purs. to 42 USC sec. 1988, for attorney fees in the sum of \$18,218.75 and reasonably incurred litigation costs in the sum of \$898.80 and requiring the debts to pay said fees within 20 days of said order , Return date 9/14/95. Affirmation in support attached. (emil) (Entered: 09/06/1995)                                                                                                                                                                                                                                                                      |
| 09/06/1995 | 1511 | AFFIRMATION Re: of Raymond P. Fitzpatrick, Jr., in Partial Opposition to the motion for Attorney's fees. (dj) (Entered: 09/11/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 09/11/1995 | 1512 | Reply affidavit of Michael H. Sussman, Esq. by Yonkers Branch-Nat'l in support of [1510-1] motion purs. to 42 USC sec. 1988, for attorney fees in the sum of \$18,218.75 and reasonably incurred litigation costs in the sum of \$898.80 and requiring the debts to pay said fees within 20 days of said order (ls) (Entered: 09/20/1995)                                                                                                                                                                                                                                                                  |
| 09/15/1995 |      | Memo endorsed on motion; granting [1510-1] motion purs. to 42 USC sec. 1988, for attorney fees in the sum of \$18,218.75 and reasonably incurred litigation costs in the sum of \$898.80 and requiring the debts to pay said fees within 20 days of said order ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 09/20/1995)                                                                                                                                                                                                                                                              |
| 09/19/1995 | 1513 | Pltff-Intervenors' exceptions to monitor's Advisory Report on YFT-YBE contract. (lam) (Entered: 09/25/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/22/1995 | 1517 | COMMENTS OF CITY OF YONKERS ON MONITOR'S ADVISORY OPINION REGARDING THE NAACP MOTION TO INCREASE YBOE FUNDING. (dj) (Entered: 09/30/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 09/22/1995 | 1518 | Defendant Intervenor Yonkers Federation of Teachers' ("YFT") Exceptions to Monitor's Advisory Report on the YFT-YBE Cohntract. (dj) (Entered: 09/30/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 09/26/1995 | 1516 | Memo endorsed on Monitor's Advisory Opinion... THE RECOMMENDATIONS OF THE MONITOR'S ADVISORY OPINION OF 8/4/95 RELATING TO THE AEP ARE ADOPTED AND APPROVED. THE MONITOR IS TO CONTINUE ON THE COURSE WHICH HE HAS OUTLINED.. SO ORDERED; ( signed by Judge Leonard B. Sand ); Copies mailed. (kk) (Entered: 09/30/1995)                                                                                                                                                                                                                                                                                   |
| 09/27/1995 | 1514 | ORDER, that the documents that the parties have identified as being part of the record, as reflected in the attached stipulation and in Exhibit 1 thereto, but which can not be located in the files in the Clerk's office shall be included in the record on appeal in 95cv6182, currently pending before the USCA for the 2nd Circuit ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 09/27/1995)                                                                                                                                                                                      |
| 09/27/1995 | 1515 | ORDER, the deposition excerpts offered as testimony at the State liability trial in April and May 1994, as described by the parties to this action in the attached stipulation and in exhibit 1 thereto, shall be included in the record on appeal in 95cv6182, currently pending beofe the USCA for the 2nd circuit...the exhibits accepted intoevidence by the Court at the State liability trial in April and May 1994, as described by the parties to this action in the attached stipulation and in exhibits 2,3, and 4 thereto, shall be included in the record on appeal in 95cv6182... ( signed by |

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|            |      | Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 09/27/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 09/27/1995 | 1520 | Notice that the original record on appeal has been certified and transmitted to the U.S. Court of Appeals: [1509-1] appeal (dj) (Entered: 10/05/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 09/28/1995 | 1519 | MEMORANDUM,... We are satisfied that the Monitor fully understands the nature and urgency of the problem. We believe as well that Court action at this time is inappropriate. The Monitor is directed to pursue expeditiously the matters discussed in his Opinion and to furnish a Supplementary Opinion and full status report to the Court by 11/15/95. SO ORDERED: ( signed by Judge Leonard B. Sand ) (ae) (Entered: 10/02/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10/25/1995 | 1521 | NOTICE OF MOTION by City of Yonkers for declaration of partial unitary status of the Yonkers Public Schools , Return date 9/30/94 (cd) (Entered: 10/27/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 11/02/1995 |      | Pre-trial conference held (rag) (Entered: 11/22/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 11/08/1995 | 1523 | ORDER,... The Yonkers Board of Education, NAACP and United States shall serve responses to the motion within thirty days of the date of this Order; The parties are permitted to engage in discovery concerning issues raised in the motion to be concluded by 3/1/96; The Court will schedule an appropriate evidentiary hearing on the motion after 3/1/96 as the Court's schedule permits; The Court anticipates conducting an additional conference with the parties, in the nature of a pretrial conference, after 1/1/96. SO ORDERED: ( signed by Judge Leonard B. Sand ); (ae) (Entered: 11/17/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11/16/1995 | 1522 | Appeal reinstated. by Yonkers Branch-Nat'l USCA NUMBER: 95-6206. GEORGE LANGE III, Clerk, U.S.C.A. (em) (Entered: 11/16/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11/22/1995 | 1524 | ORDER, it is hereby ordered that with respect to space between buildings in the Cross Street project, now required to be 40 feet purs. to City of Yonkers General Ordinance No. 19-1970, Section 107-54, Table 107-7, and recommended by the Housing Special Master to be 10 feet, the variance to 10 feet as recommended by the Housing Special Master is granted. With respect to rear yard space in the Cross Street project, now required to be 25 feet purs. to City of Yonkers General Ordinance No. 19-1970, Section 107-54, table 107-7, and recommended by the Housing Special Master is granted. With respect to front space in the Cross Street Project, now required to be 25 feet purs. to City of Yonkers General Ordinance No. 19-1970 Section 107-54, Table 107-7, and recommended by the Housing Special Master to be 2 feet/6 feet/ and 6.7 feet respectively, the variance to 2 feet / 6 feet/ and 6.7 feet as recommended by the Housing Special Master is granted. With respect to parking, now permitted w/in the minimum front yard setback purs. to City of Yonkers General Ordinance No. 19-1970, Section 107-55, and now recommended by the Housing Special Master to be permitted along Cross Street w/in the front yard setback, the variance to allow parking spaces along Cross Street to be w/in the front yard setback as recommended by the Housing Special Master is granted. ( signed by Judge Leonard B. Sand ); Copies mailed (kg) (Entered: 12/05/1995) |
| 11/30/1995 | 1525 | RESPONSE by Yonkers Branch-Nat'l to [1521-1] motion for declaration of partial unitary status of the Yonkers Public Schools (kk) (Entered: 12/08/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/12/1995 | 1526 | MEMORANDUM ORDER, ... THE COURT GRANTES THE REQUEST OF THE HOUSING MASTER FOR THE USE OF AHTF FUNDS FOR TWO PENDING EXISTING HOUSING PROGRAM TRANSACTIONS AS REQUESTED IN HER LETTER DATED DECEMBER 8, 1995.... ( signed by Judge Leonard B. Sand ); Copies mailed (dj) (Entered: 12/13/1995)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 01/05/1996 | 1527 | RESPONSE by United States of Ame Re: [1521-1] motion for declaration of partial unitary status of the Yonkers Public Schools (ls) (Entered: 01/11/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 02/02/1996 |      | Memo endorsed on motion; mootng [1521-1] motion for declaration of partial unitary status of the Yonkers Public Schools; SEE ORDER DATED 2/2/96 ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 02/05/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 02/02/1996 | 1528 | ORDER, On 7/28/95, plaintiff-intervenor Yonkers Branch of the NAACP filed a motion seeking an order requiring the City of Yonkers to provide additional funding for the fiscal year 1996 budget of the Yonkers Board of Education... ORDERED that the motion is denied as moot. SO ORDERED: ( signed by Judge Leonard B. Sand );                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|            |      | (ae) (Entered: 02/05/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 02/13/1996 | 1529 | ORDER, that the City of Yonkers shall either acquire consensually or by eminent domain proceedings the Yonkers Ave. and Hoover Rd. sites so as to complete the acquisition of title by 8/1/96. The City is also ordered 1) to provide the Court w/ a description of the City's process for obtaining title through eminent domain by 3/1/96; 2) to adhere to that process; and 3) to report to the Court on the status of its efforts to comply w/ this Order by no later than 5/15/96...SO ORDERED... ( signed by Chief Judge Thomas P. Griesa ); Copies mailed (ls) (Entered: 02/14/1996) |
| 02/13/1996 |      | Memo endorsed on motion Doc. #1521; THE BELOW ENDORSEMENT DATED 2/2/96 WAS STAMPED IN ERROR AND IS CANCELLED. SO ORDERED: ( signed by Judge Leonard B. Sand ) (ae) (Entered: 02/14/1996)                                                                                                                                                                                                                                                                                                                                                                                                    |
| 02/13/1996 | 1530 | ORDER, The Housing Partnership, Westhab in Yonkers, Inc., & New Hardscrabble Corp. are hereafter referred to jointly & severally as the "the Developer" , the HSM & Developer hereby extend the Exclusive Period from the date on which such period expired under the Agreement for a period not to exceed the lesser of 60 days from the execution of this Amendment or the date on which a land disposition & development agreement for the Cross St. parcel is approved & executed fully. ( signed by Judge Leonard B. Sand ); Copies mailed (lam) (Entered: 02/14/1996)                 |
| 02/13/1996 | 1531 | Objection(s) to Special Master's Recommended Cross Streetland disposition agreement, by City of Yonkers (cd) (Entered: 02/14/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 02/22/1996 | 1532 | Objection(s) to Special Master's Recommended Hoover Rd. Development Program by City of Yonkers (ls) (Entered: 02/23/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 02/23/1996 | 1533 | NOTICE OF MOTION for an entry of an Order.. awarding to their counsel reasonable attorney's fees in the sum of \$24,887.50 and reasonably incurred litigation costs in the sum of \$468.40 and requiring the defendants to pay said fees within twenty days of said order..... , Return date 2/29/96 (dj) (Entered: 02/27/1996)                                                                                                                                                                                                                                                             |
| 02/23/1996 | 1533 | AFFIDAVIT in support of Re: [1533-1] motion for an entry of an Order.. awarding to their counsel reasonable attorney's fees in the sum of \$24,887.50 and reasonably incurred litigation costs in the sum of \$468.40 and requiring the defendants to pay said fees within twenty days of said order..... (dj) (Entered: 02/27/1996)                                                                                                                                                                                                                                                        |
| 02/27/1996 | 1534 | Filed Memo-Endorsement on Memo from Marilyn Melkonian et al dated 2/23/96, The Housing Special Master, recommends approval of a subsidy in the amount of \$29,900 to assist the household of Joseph Charivuparampil & Suja Thomas in a housing purchase....APPROVED. SAND, J. ( signed by Judge Leonard B. Sand ) (lam) (Entered: 02/29/1996)                                                                                                                                                                                                                                               |
| 03/04/1996 |      | Memo endorsed on motion; granting in part, denying in part in accordance with Memorandum Decision filed this date [1533-1] affidavit, granting in part, denying in part [1533-1] motion for an entry of an Order.. awarding to their counsel reasonable attorney's fees in the sum of \$24,887.50 and reasonably incurred litigation costs in the sum of \$468.40 and requiring the defendants to pay said fees within twenty days of said order..... ( signed by Judge Leonard B. Sand ); Copies mailed. (pl) (Entered: 03/05/1996)                                                        |
| 03/06/1996 | 1535 | OBJECTIONS AND COMMENTS of City of Yonkers to proposed order modifying Section 15 of 1988 Consent Decree. (ae) (Entered: 03/07/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 03/08/1996 | 1536 | ORDER APPROVING HOOVER ROAD DEVELOPMENT PROGRAM, The Hoover Road site will be developed as 25 townhouses targeted to mixed income households consistent with the income goals of the Long Term Plan Order. SO ORDERED: ( signed by Judge Leonard B. Sand ) (ae) (Entered: 03/11/1996)                                                                                                                                                                                                                                                                                                       |
| 03/18/1996 | 1537 | Filed Memo-Endorsement on letter to Judge Sand from Marilyn Melkonian dated 3/14/96, In Re: approving a subsidy in the amount of \$22,000.....APPROVAL SAND ( signed by Judge Leonard B. Sand ) (kg) (Entered: 03/19/1996)                                                                                                                                                                                                                                                                                                                                                                  |
| 03/19/1996 | 1538 | Filed Memo Endorsement on letter by Marilyn Melkonian, dated 3/15/96, "Granting" request for approval of subsidy for an amount not to exceed \$18,000 to assist the above household in the purchase of 57 Corbalis Place, a single-family home..... ( signed by Judge Leonard B. Sand ) (pl) (Entered: 03/20/1996)                                                                                                                                                                                                                                                                          |

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| 03/19/1996 | 1539 | Filed Memo_Endorsement on letter to Judge Sand from Marilyn Melkonian dated 3/4/96, The Housing Special Master recommends to the Court that it approve a subsidy in the amt. of \$25,465 to assist the above household in the purchase 325 McLean Ave., Unit #12 (Stonehedge). This household is being provided assistance through the Existing Housing Program... Therefore, if your approval could be sent to me by facsimile at your earliest convenience, it would be greatly appreciated. Please contact me w/ any questions regarding this request. Affordable Housing Trust Fund Request: \$25,465 Approval ...SO ORDERED... ( signed by Judge Leonard B. Sand ) (ls) (Entered: 03/20/1996) |
| 03/21/1996 | 1540 | Filed Memo_Endorsement on letter to Judge Sand from Marilyn Melkonian dated 3/11/96, In Re: writing to request that the Court approve the Cross Street disposition and development agreement.....The Cross Street DDA is approved and the parties are directed to execute same. ( signed by Judge Leonard B. Sand ) (kg) (Entered: 03/22/1996)                                                                                                                                                                                                                                                                                                                                                     |
| 04/12/1996 | 1541 | Filed Memo_Endorsement on letter dated 4/11/96, the listed amounts totalling \$9,200.00, re invoices forwarded by Mr. R. Narog ( signed by Judge Leonard B. Sand ) (cd) (Entered: 04/15/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 04/12/1996 | 1542 | Filed Memo_Endorsement on letter dated 3/25/96, the Court approves payment of the attached invoices from Buckhurst Fish for \$9,050.00... ( signed by Judge Leonard B. Sand ) (cd) (Entered: 04/15/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 05/06/1996 | 1543 | ORDER, that the documents that the parties have identified as being part of the record, as reflected in the attached stipulation, but which can not currently be located in the files in the Clerk's office, shall be included in the district court record for appeal... ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 05/07/1996)                                                                                                                                                                                                                                                                                                                                            |
| 05/07/1996 | 1544 | ORDER, ordered that the documents that the parties have identified as being part of the record, as reflected in the attached Stipulation, but which can not currently be located in the files in the Clerk's office, shall be included in the district court record in this action and in the record on appeal in Case No. 95-6182, currently pending before the USCA for the 2nd Circuit. ( signed by Judge Leonard B. Sand ); Copies mailed (kg) (Entered: 05/08/1996)                                                                                                                                                                                                                           |
| 05/07/1996 | 1545 | Filed Memo_Endorsement on Memo from Marilyn Melkonian dated 5/6/96, requesting that the Court authorize FHIO to execute a Task Order with its consultant Buckhurst Fish & Jacquemart to subcontract with Gabriel E. Senor to undertake the design engineering & cost estimate work for the Hoover Road infrastructure component. The budget amount for this scope of work is \$19,100.00.... ( signed by Judge Leonard B. Sand ) Copies mailed Chambers. (lam) (Entered: 05/09/1996)                                                                                                                                                                                                               |
| 05/10/1996 | 1546 | Letter filed by Karen V. Hill, Executive Director dated 5/9/96, Re: Notice of Finding of No Significant Impact. (ae) (Entered: 05/13/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 05/14/1996 |      | MEMORANDUM AND ORDER, *(see below) ...PLTFF'S MOTION FOR AN INJUNCTION IS DENIED...SO ORDERED... ( signed by Judge Charles S. Haight ); Copies mailed *Note: orig. doc. fld. in related case no. 89 civ 5609 (CSH) and noted in this case (ls) (Entered: 05/15/1996)                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 05/14/1996 | 1547 | Filed Memo_Endorsement on letter dated 5/8/96, "APPROVING " request that the Court authorize FHIO to pay invoices submitted by its consultant, Buckhurst Fish & Jacquemart Inc., for services in connection with the Hoover Road engineering work and identification of small development sites. The invoices total \$7,200. ...So Ordered...( signed by Judge Leonard B. Sand ) (pl) (Entered: 05/15/1996)                                                                                                                                                                                                                                                                                        |
| 06/20/1996 | 1548 | Filed Memo_Endorsement on letter to Judge Sand from Marilyn Melkonian dated 6/10/96, It is recommended that the Court approve payment of the attached two invoices from Buckhurst Fish & Jacquemart, Inc. in connection w/ consulting services on the Hoover Rd. environmental assessment and engineering RFP, The payments total \$9,250,00...see doc...SO ORDERED.... ( signed by Judge Leonard B. Sand ) (ls) (Entered: 06/20/1996)                                                                                                                                                                                                                                                             |
| 07/09/1996 | 1549 | ORDER, The court hereby authorizes the expenditure of Affordable Housing Trust Funds to the extent required to obtain the engineering and surveying reports required for the Hoover Road and Yonkers Avenue sites and in the amounts approved by the                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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|            |      | Housing Special Master. SO ORDERED: ( signed by Judge Leonard B. Sand ) (ae) (Entered: 07/09/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 07/10/1996 | 1550 | NOTICE OF MOTION by Plaintiff-Intervenors Yonkers Branch-Nat'l, et al. awarding attorney's fees and litigation costs in the amount of \$18,562.50 in this matter and requiring the defendants to pay said fees within twenty days of said order. , Return date 7/18/96 (ae) (Entered: 07/11/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 07/10/1996 | 1551 | AFFIDAVIT of Michael H. Sussman by Yonkers Branch-Nat'l in support of Re: [1550-1] motion awarding attorney's fees and litigation costs in the amount of \$18,562.50 in this matter and requiring the defendants to pay said fees within twenty days of said order. (ae) (Entered: 07/11/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 07/15/1996 | 1552 | ORDER, ORDERED that the amount of AHTF subsidy be increased from \$399,310 to \$880,310 in order to provide sufficient financing to complete the Project in compliance with the terms and conditions of the Agreement unless state of other financing becomes available without delaying construction. SO ORDERED: ( signed by Judge Leonard B. Sand ) (ae) (Entered: 07/16/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 07/23/1996 |      | Memo endorsed on motion; granting [1550-1] motion awarding attorney's fees and litigation costs in the amount of \$18,562.50 in this matter and requiring the defendants to pay said fees within twenty days of said order. SO ORDERED: ( signed by Judge Leonard B. Sand ) (ae) (Entered: 07/24/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 07/24/1996 | 1553 | Letter filed by Lawrence W. Thomas to Judge Sand dated 7/11/96 re: The Board does not object to the motion insofar as the apportionment of fees used in all prior orders, i.e. 85% to the defendant City of Yonkers and 15% to the defendant Yonkers Board of Education, continues to be applied. (ae) (Entered: 07/29/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 07/24/1996 | 1554 | Letter filed by Raymond P. Fitzpatrick, Jr. to Judge Sand dated 7/16/96 re: I am in receipt of Mr. Sussman's fee applicated dated 7/8/96. The City will not lodge any objection to the application and understand that the Court will apportion the fees on the traditional basis of 85% to the City and 15% to the Yonkers Board of Education. (ae) (Entered: 07/29/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 08/07/1996 | 1555 | ORDER extending personal services contract between Fair Housing Implementation Office and Warren J. Bennia, Counselor at Law, for the period 8/1/96 through 10/31/96. The extended contract shall be on the same terms and conditions as the existing contract expiring 7/31/96, and shall be for an amount not to exceed \$47,500 and shall be subject to further renewal. ( signed by Judge Leonard B. Sand ); Copies mailed Chambers. (lam) (Entered: 08/07/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 08/12/1996 | 1556 | MEMORANDUM by City of Yonkers in support of use of school 15 site for school desegregation purposes (cd) (Entered: 08/13/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 08/14/1996 | 1557 | NOTICE OF MOTION by City of Yonkers for an order rejoining the State of NY, Gov. George Pataki, Education Comm. Richard P. Mills and State Comptroller H. Carl McCall, all in their official capacities, as necessary and indispensable parties defts, purs. to FRCP 19 and 20 , for an order permitting the City of Yonkers to file a Third Party Complaint/Cross-Claim purs. to FRCP 13, 14 and 15 , for an order schedulin further proceedings on the City's application to preliminarily and permanently enjoin the State of NY and other 3rd party defts/cross-claim defts from impeding the City's compliance w/ this Court's education desegregation orders, to order said State defts to fund the Yonkers' education budget in a manner sufficient to enable the City to comply w/ the mandates of this Court , Return date 9/5/96. Proposed 3rd Party Complaint, Memorandum of Law and Affidavit in support attached. (emil) (Entered: 08/19/1996) |
| 08/21/1996 | 1558 | NOTICE OF MOTION by Yonkers Board of Edu deleting the requirement set forth in paragraph H requiring that the school district provide transportation to parochial students who live within the City of Yonkers. , Return date 10/3/96 (ae) (Entered: 08/23/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 08/21/1996 | 1558 | AFFIDAVIT of Reginald F. Marra by Yonkers Board of Edu in support of Re: [1558-1] motion deleting the requirement set forth in paragraph H requiring that the school district provide transportation to parochial students who live the City of Yonkers. (ae) (Entered: 08/23/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| 08/22/1996 |      | Pre-trial conference held before Judge Sand. (kw) (Entered: 09/23/1996)                                                                                                                                                                                                                                                  |
| 08/28/1996 | 1559 | BRIEF by Yonkers Branch-Nat'l in support of re: [1558-1] motion deleting the requirement set forth in paragraph H requiring that the school district provide transportation to parochial who live within the City of Yonkers. (ae) (Entered: 08/30/1996)                                                                 |
| 09/09/1996 | 1560 | SEALED DOCUMENT placed in vault (da) (Entered: 09/09/1996)                                                                                                                                                                                                                                                               |
| 09/11/1996 | 1561 | Plaintiff-Intervenors' submission regarding density and tenure of Yonkers Avenue Project. (kw) (Entered: 09/12/1996)                                                                                                                                                                                                     |
| 09/13/1996 | 1562 | Comments of the City of Yonkers Concerning Density and Tenure of Yonkers Avenue Site. (kw) (Entered: 09/16/1996)                                                                                                                                                                                                         |
| 09/17/1996 | 1563 | RESPONSE by City of Yonkers TO: The Monitor's Advisory Opinion On School 15 Issues (ls) (Entered: 09/18/1996)                                                                                                                                                                                                            |
| 09/17/1996 | 1564 | REPORT Of Deft. City of Yonkers re: Amendments To The Long Term Plan Order To Complete HRO Implementation (ls) (Entered: 09/18/1996)                                                                                                                                                                                     |
| 09/18/1996 | 1565 | Filed Memo_Endorsement on letter by Marilyn Melkonian to Judge Sand dated 9/16/96, BF&J budget to complete Task Order: \$4,800. APPROVED: ( signed by Judge Leonard B. Sand ) (ae) (Entered: 09/23/1996)                                                                                                                 |
| 09/19/1996 |      | Pre-trial conference held before Judge Sand. (kw) (Entered: 09/23/1996)                                                                                                                                                                                                                                                  |
| 09/19/1996 | 1569 | RESPONSE by Yonkers Board of Edu TO: Monitor's Advisory Op8inion Of Whether The Yonkers Bd. of Ed. Should Be Allowed To Use The Former School 15 Site For A New Elementary School (ls) (Entered: 09/24/1996)                                                                                                             |
| 09/19/1996 |      | Before J Sand; Pre-trial conference held (cd) (Entered: 10/09/1996)                                                                                                                                                                                                                                                      |
| 09/20/1996 | 1566 | (CORRECTED) MEMORANDUM in opposition to the City's motion to join and file a cross-claim/Third Party Complaitn against the State of N.Y., Governor, State Comptroller, and State Commissioner of Ed. (pl) (Entered: 09/24/1996)                                                                                          |
| 09/20/1996 | 1567 | MEMORANDUM in opposition to re: doc# 1566 (pl) (Entered: 09/24/1996)                                                                                                                                                                                                                                                     |
| 09/20/1996 | 1568 | AFFIDAVIT in opposition of Gordon J. Hamilton Re: motion of the city of Yonkers to join the State Comptroller as third party defendant in this action (pl) (Entered: 09/24/1996)                                                                                                                                         |
| 09/23/1996 | 1570 | AFFIDAVIT in support of Reginald F.Marra by City of Yonkers Re: of motion to Rejoin the State defendnats in these proceedings. (djc) (Entered: 09/24/1996)                                                                                                                                                               |
| 09/26/1996 | 1571 | REPLY MEMORANDUM by City of Yonkers re: motion to rejoin the state of NY defts and seek further relief from the state defts (cd) (Entered: 09/27/1996)                                                                                                                                                                   |
| 09/30/1996 | 1572 | NOTICE OF CROSS MOTION to intervene by Nathaniel Quintero, Debra DiCaprio, George Holt re parochial school children , opposing the motion of deft to amend the desegregation order of 5/13/96 , Return date 10/10/96; attached are papers in support (cd) (Entered: 10/01/1996)                                          |
| 09/30/1996 | 1573 | MEMORANDUM by Nathaniel Quintero, Debra DiCaprio, George Holt in support of [1572-1] cross motion to intervene by Nathaniel Quintero, Debra DiCaprio, George Holt re parochial school children, [1572-2] cross motion opposing the motion of deft to amend the desegregation order of 5/13/96 (cd) (Entered: 10/01/1996) |
| 10/04/1996 | 1574 | SEALED DOCUMENT placed in vault (da) (Entered: 10/04/1996)                                                                                                                                                                                                                                                               |
| 10/04/1996 | 1575 | RESPONSE by City of Yonkers to Re: [1558-1] motion deleting the requirement set forth in paragraph H requiring that the school district provide transportation to parochial students who live within the City of Yonkers. (kw) (Entered: 10/07/1996)                                                                     |
| 10/08/1996 | 1576 | ORDER, the filing of an AMended Complaint in this proceeding was pursuant to a oral order of the Court and the Clerk is directed to accept its filing. ( signed by Judge Leonard B. Sand ); Copies mailed (djc) (Entered: 10/08/1996)                                                                                    |
| 10/09/1996 | 1577 | THIRD-PARTY COMPLAINT by City of Yonkers, Yonkers Board of Education; Third-party summons issued. (kg) (Entered: 10/10/1996)                                                                                                                                                                                             |

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| 10/09/1996 | 1577 | CROSSCLAIM by City of Yonkers, Yonkers Board of Education. (kg) (Entered: 10/10/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 10/09/1996 | 1578 | REPLY AND RESPONSE by Yonkers Board of Education to [1572-1] cross motion to intervene by Nathaniel Quintero, Debra DiCaprio, George Holt re parochial school children, [1572-2] cross motion opposing the motion of deft to amend the desegregation order of 5/13/96 (kg) (Entered: 10/10/1996)                                                                                                                                                                                                                                       |
| 10/17/1996 | 1580 | Filed Memo_Endorsement on letter to Judge Sand from Marilyn Melkonian dated 10/15/96, ...DEVELOPMENT OF THE PROPOSED CCRC PROJECT IS EXEMPTED FROM THE AHO...SO ORDERED... ( signed by Judge Leonard B. Sand ) (ls) (Entered: 10/21/1996)                                                                                                                                                                                                                                                                                              |
| 10/21/1996 | 1581 | ORDER, The Order for Desegregation in the Yonkers Public Schools dated 5/13/86 contains a provision requirint the transportation of parochial school students who live within the City of Yonkers and who travel more than 1-1/2 miles to their school... Accordingly, the Court reserves decision on the application pending a determination by the appropriate state authorities as to whether, as a matter of state law, such transporation is required. SO ORDERED: ( signed by Judge Leonard B. Sand ) (ae) (Entered: 10/22/1996) |
| 10/21/1996 | 1582 | Filed Memo_Endorsement on MEMORANDUM dated 10/15/96, recommending that the Court approve payment of the attached invoices (inv. not att.) from Buckhurst Fish & Jacquemart, Inc in connection with consulting services on the Hoover Road and Yonkers Avenue sites and the area-wide environmental assessment. The payments total \$37,500.00. .. APPROVED. (signed by Judge Leonard B. Sand) (djc) (Entered: 10/22/1996)                                                                                                              |
| 10/24/1996 | 1583 | BY ORDER, dated 8/6/96, this Court extended the Personal Services Contract between the Fair Housing Implementation Office and Warren J. Bennia, Counselor at Law, for the period ending 10/31/96, subject to further renewal. The Aforementioned Contract is extended on the same terms and conditions as the existing contract for the period ending 1/31/97, subject to further renewal. ( signed by Judge Leonard B. Sand ); Copies mailed Chambers. (lam) (Entered: 10/28/1996)                                                    |
| 10/30/1996 | 1584 | Transcript of record of proceedings filed for dates of September 26, 1996 before the Hon. Leonard B. Sand. (djc) (Entered: 10/31/1996)                                                                                                                                                                                                                                                                                                                                                                                                 |
| 10/30/1996 | 1585 | Transcript of record of proceedings filed for dates of September 19, 1996 before the Hon. Leonard B. Sand (djc) (Entered: 10/31/1996)                                                                                                                                                                                                                                                                                                                                                                                                  |
| 11/06/1996 | 1587 | NOTICE OF MOTION by Plaintiff-Intervenors for reasonable attorney's fees and litigation costs in the sum of in this matter and requiring the defendants to pay said fees within twenty days of said order. , Return date 11/14/96 (ae) (Entered: 11/07/1996)                                                                                                                                                                                                                                                                           |
| 11/06/1996 | 1588 | AFFIDAVIT of Michael H. Sussman by Plaintiff-Intervenors in support of Re: [1587-1] motion for reasonable attorney's fees and litigation costs in the sum of in this matter and requiring the defendants to pay said fees within twenty days of said order. (ae) (Entered: 11/07/1996)                                                                                                                                                                                                                                                 |
| 11/06/1996 |      | Pre-trial conference held before Judge Sand. (rag) (Entered: 12/02/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 11/07/1996 | 1586 | ORDER, Second Supplemental Long Term Plan ....So Ordered...( signed by Judge Leonard B. Sand ) (pl) (Entered: 11/07/1996)                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/07/1996 | 1589 | Letter filed to Judge Sand dated 11/4/96. (kg) (Entered: 11/08/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11/08/1996 | 1590 | NOTICE OF MOTION by City of Yonkers for entry of summary judgment , and/or directing the State defts to pay Education Formmula Aid No Return date (kg) (Entered: 11/12/1996)                                                                                                                                                                                                                                                                                                                                                           |
| 11/08/1996 | 1590 | SUPPLEMENTAL AFFIDAVIT of John D. Spencer by City of Yonkers. (kg) (Entered: 11/12/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 11/15/1996 | 1591 | DECLARATION in opposition by the NYS, Governor, Education Commissioner, and Comptroller to [1590-1] motion for entry of summary judgment, [1590-2] motion directing the State defts to pay Education Formmula Aid (kw) (Entered: 11/19/1996)                                                                                                                                                                                                                                                                                           |

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| 11/15/1996 | 1592 | MEMORANDUM by NYS, Governor, Education Commissioner, and Comptroller in opposition to [1590-1] motion for entry of summary judgment, [1590-2] motion directing the State debts to pay Education Formmula Aid (kw) (Entered: 11/19/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 11/18/1996 |      | Memo endorsed on motion; granting in part, denying in part [1587-1] motion for reasonable attorney's fees and litigation costs in the sum of in this matter and requiring the defendants to pay said fees within twenty days of said order. FUTURE SERVICES WILL BE COMPENSATED AT THE REQUESTED RATE OF \$275.00 ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 11/19/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/19/1996 | 1593 | AFFIDAVIT in support of R. Marra by City of Yonkers Re: [1590-1] motion for entry of summary judgment (cd) (Entered: 11/21/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/22/1996 | 1594 | REPLY MEMORANDUM by City of Yonkers in support re: [1590-1] motion for entry of summary judgment, [1590-2] motion directing the State debts to pay Education Formula Aid (emil) (Entered: 11/26/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 11/22/1996 | 1595 | Rule 3(g) statement filed by City of Yonkers (emil) (Entered: 11/26/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 11/27/1996 | 1597 | REPLY by proposed State Defts to 3(g) statement submitted by the City of Yonkers [1595-1] settlement notice (lam) (Entered: 12/02/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 11/27/1996 | 1597 | REPLY DECLARATION of Marion Buchbinder, Asst. Atty General, atty for the State of NY, Governor, Education Commisioner & Comptroller in FURTHER OPPOSITION to the City of Yonkers [1590-1] motion for entry of summary judgment (lam) (Entered: 12/02/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12/02/1996 | 1596 | Transcript of record of proceedings filed for dates of October 10, 1996 before the Hon. Leonard B. Sand. (dj) (Entered: 12/02/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/04/1996 | 1598 | ORDER DENYING the City's [1590-1] motion for entry of summary judgment, DENYING [1590-2] motion directing the State debts to pay Education Formmula Aid ; The parties are to advise the Court by 1/13/97 what steps they wish to take next in this litigation and a proposed time table for such actions. ( signed by Judge Leonard B. Sand ); Copies mailed Chambers. (lam) (Entered: 12/05/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/04/1996 |      | Memo endorsed on motion; denying [1590-1] motion for entry of summary judgment, denying [1590-2] motion directing the State debts to pay Education Formmula Aid ( signed by Judge Leonard B. Sand ) (pl) (Entered: 12/05/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 12/06/1996 | 1599 | DESIGNATION OF HOUSING SITE PURSUANT TO PARAGRAPH 4 OF SECOND SUPPLEMENTAL LONG TERM PLAN ORDER (dj) (Entered: 12/10/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12/23/1996 | 1600 | UNITED STATES' COMMENTS REGARDING CITY'S DESIGNATION OF HOUSING SITE (dj) (Entered: 12/27/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 12/26/1996 | 1601 | Yonkers Branch NAACP's Comments regarding City of Yonkers' designation of Alternate Housing Site. (lam) (Entered: 12/27/1996)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/02/1997 | 1602 | Transcript of record of proceedings filed for dates of 11/18/96 before Judge Sand (pl) (Entered: 01/02/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 01/02/1997 | 1603 | Before J Sand; Transcript of record of proceedings filed for dates of 11/6/96 (cd) (Entered: 01/02/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 01/07/1997 | 1604 | ORDER, The Court will defer making any final decision on the acceptability of this alternative site until Westchester County has voted to dededict the site as parkland , with respect to the request of the U.S. that the City prepare a more detailed study of the utilization of the site, the court directs that the parties work together under the aegis of the Housing Special Master to furnish the necessary data well prior to the time the Court will be called upon to make a final determination as to the suitability of the site , the Court reiterates the principle clearly enunciated in paragraph 4 of the Secnd Suppeletal Long Term Plan Order that no construction is to commence on the School 15 site until such time as an alternative housing site has been approved by the Court ...So Ordered....( signed by Judge Leonard B. Sand ); Copies mailed (pl) (Entered: 01/07/1997) |

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| 01/23/1997 | 1605 | ORDER, the City's motion to file its proposed August 1996 third-party complaint/cross claim which, if the City wishes, may be amended as set forth within. By this grant we do not resolve the numerous objections raised in the state's Memo of law in opposition to the City's motion dated 9/20/96....the parties are to advise the Court in writing when they are ready to address these matters ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 01/24/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 01/23/1997 |      | Memo endorsed on motion; (SEE DOCUMENT #1605) mootng [1557-1] motion for an order rejoining the State of NY, Gov. George Pataki, Education Comm. Richard P. Mills and State Comptroller H. Carl McCall, all in their official capacities, as necessary and indispensable parties defts, purs. to FRCP 19 and 20, mootng [1557-2] motion for an order permitting the City of Yonkers to file a Third Party Complaint/Cross-Claim purs. to FRCP 13, 14 and 15, mootng [1557-3] motion for an order schedulin further proceedings on the City's application to preliminarily and permanently enjoin the State of NY and other 3rd party defts/cross-claim defts from impeding the City's compliance w/ this Court's education desegregation orders, to order said State defts to fund the Yonkers' education budget in a manner sufficient to enable the City to comply w/ the mandates of this Court ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 01/24/1997) |
| 01/23/1997 |      | Memo endorsed on motion; (for resolution of this motion see transcript of proceeding on the return of this motion) mootng [1572-1] cross motion to intervene by Nathaniel Quintero, Debra DiCaprio, George Holt re parochial school children, mootng [1572-2] cross motion opposing the motion of deft to amend the desegregation order of 5/13/96 ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 01/24/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 01/23/1997 |      | Memo endorsed on motion; [1558-1] motion deleting the requirement set forth in paragraph H requiring that the school district provide transportation to parochial students who live within the City of Yonkers. taken under advisement pending determination by the NYSED ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 01/24/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 01/24/1997 | 1606 | Letter to Judge Sand filed by Marion R. Buchbinder and Stephen M. Jacoby, Assistants Atty General dated 1/13/97 re in response to Mr. Fitzpatrick's letter of 1/10/97 and in response to the direction in Judge Sand's 12/4/96 decision to inform the court of the steps proposed defts believe should be taken in this litigation. (lam) (Entered: 01/30/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 01/24/1997 | 1607 | Letter to Judge Sand filed by Raymond P. Fitzpatrick, Jr. Atty for deft City of Yonkers dated 1/10/97 re the Court's Memorandum Decision, dated 12/4/96, denying the City's motion seeking summary judgment and an order directing the State of NY to pay some \$5 million in unpaid education formula aid. The Court further directed "the parties to advise the Court by 1/13/97 what steps they wish to take next in this litigation and a proposed time table for such actions." (lam) (Entered: 01/30/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 01/28/1997 | 1608 | MANDATE OF USCA (certified copy) Re: It is now hereby ordered, adjudged and decreed that the judgment be and it hereby is vacated and remanded to the district court for further proceedings. Bill of cost attached. (95-6182) George Lange, III, Clerk, USCA.....DOCKETED AS A JUDGMENT #97,0217 ON 2/3/97. (as) Modified on 02/05/1997 (Entered: 01/30/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 01/30/1997 | 1609 | Bill of costs taxed in the amount of \$8709.78 in favor of the appellant, Yonkers Bd. of Education. (95-6182) George Lange, III, Clerk, USCA. (as) (Entered: 01/30/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 02/05/1997 | 1610 | CROSSCLAIM by City of Yonkers against State of New York, Governor George Pataki; richard P. Mill; H. Carl McCall. (kw) (Entered: 02/11/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 02/12/1997 | 1611 | FIRST AMENDED THIRD-PARTY COMPLAINT/CROSS CLAIM by City of Yonkers against U.S. Dept. of Housin, Sec. of Housing ; Summons issued, : amends [1577-1] third-party complaint (ae) (Entered: 02/14/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/04/1997 | 1621 | ORDER.. the fee application is reduced to \$22,625 (90.5 x \$250) plus expenses of \$468.40 and is approved.. ( signed by Judge Leonard B. Sand ); Copies mailed (kk) (Entered: 05/07/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/19/1997 | 1612 | NOTICE OF MOTION by plttf-intervenors for an order awarding to their counsel reasonable attny's fees and litigation costs in the sum of \$58,870.55 in this matter and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|            |      | requiring the defts. to pay said fees w/in twntety days of said orders , Return date 3/27/97 (ls) (Entered: 03/20/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 03/19/1997 | 1613 | AFFIDAVIT in support of Michael H. Sussman by Yonkers Branch-Nat'l Re: [1612-1] motion for an order awarding to their counsel reasonable attny's fees and litigation costs in the sum of \$58,870.55 in this matter and requiring the defts. to pay said fees w/in twntety days of said orders (ls) (Entered: 03/20/1997)                                                                                                                                                                                                                                                                                |
| 03/25/1997 | 1614 | NOTICE OF MOTION by State Defendants for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Fed. R. Civ. P. dismissing the third-party complaint/cross-claim. Return date 4/17/97 (kw) (Entered: 03/26/1997)                                                                                                                                                                                                                                                                                                                                                                                        |
| 03/25/1997 | 1615 | MEMORANDUM by State of New York in support of [1614-1] motion for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Fed. R. Civ. P. dismissing the third-party complaint/cross-claim. (kw) (Entered: 03/26/1997)                                                                                                                                                                                                                                                                                                                                                                                   |
| 03/31/1997 | 1616 | Letter filed dated 3/25/97 to Judge Sand from Lawrence Thomas regarding the motion submitted by the NAACP for counsel fees for the period from 11/4/96 through 3/13/97. (kw) (Entered: 04/01/1997)                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/31/1997 | 1617 | Letter filed dated 3/27/97 to Judge Sand from Raymond Fitzpatrick regarding Mr. Sussman's application for attorneys fees and costs dated 3/13/97. (kw) (Entered: 04/01/1997)                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/31/1997 |      | Memo endorsed on motion; granting without opposition [1612-1] motion for an order awarding to their counsel reasonable attny's fees and litigation costs in the sum of \$58,870.55 in this matter requiring the defts. to pay said fees w/in twntety days of said orders....So Ordered.....( signed by Judge Leonard B. Sand ).... (pl) (Entered: 04/01/1997)                                                                                                                                                                                                                                            |
| 04/09/1997 | 1618 | MEMORANDUM by City of Yonkers in opposition to [1614-1] motion for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Fed. R. Civ. P. dismissing the third-party complaint/cross-claim. (cd) (Entered: 04/10/1997)                                                                                                                                                                                                                                                                                                                                                                                  |
| 04/15/1997 | 1619 | REPLY MEMORANDUM re: OF LAW IN SUPPORT OF MOTIN TO DISMISS THE CITY OF YONKERS' THIRD-PARTY COMPLAINT/CROSS-CLAIM (djc) (Entered: 04/16/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 04/23/1997 |      | Memo endorsed on motion; denying [1614-1] motion for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Fed. R. Civ. P. dismissing the third-party complaint/cross-claim. The motion is comprised primarily of issues previously visited by the Court and some additional arguments which the Court finds to be without merit. The Court will schedule further proceedings with respect to all pending claims against the state defendants upon receipt of the material called for by the Court's directive of 4/17/97. SO ORDERED: ( signed by Judge Leonard B. Sand ); (ae) (Entered: 04/24/1997) |
| 04/29/1997 | 1622 | Joint Report of Remaining Issues to be Tried Concerning the State Defendants.. (kk) (Entered: 05/07/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 04/30/1997 | 1620 | Joint report of remaining issues to be tried concerning the state defts filed by NAACP, Yonkers Bd. of Educ., and City of Yonkers. (lam) (Entered: 05/02/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 05/07/1997 | 1624 | ANSWER by State of New York, George Pataki, Richard P. Mills, H. Carl McCall to third party complaint/ [1610-1] cross claim (kk) (Entered: 05/15/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 05/13/1997 | 1623 | Transcript of record of proceedings filed before Judge Sand for dates of 3/26/97. (kw) (Entered: 05/13/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 05/15/1997 | 1625 | ORDER, re City of Yonkers application to use funds from the Affordable Housing Trust Fund; the United States and NAACP have infromed the Court that they have no objection to the City's request provided that the listed conditions apply ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 05/19/1997)                                                                                                                                                                                                                                                                                 |
| 05/16/1997 | 1626 | NOTICE OF MOTION by City of Yonkers requiring remedial relief from the added state of NY defts , Return date not indicated (cd) (Entered: 05/20/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 05/21/1997 | 1627 | NOTICE OF APPEAL by third party defts, State of NY, Pataki, Mills and McCall ; from [0-0] motion endorsed . Copies of notice of appeal mailed to Attorney(s) of                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|            |      | Record: Raymod P. Fitzpatrick, Steven J. Routh, Michael H. Sussman, Lisa Evans., Fee Pd., rec # 287816 . (as) (Entered: 05/22/1997)                                                                                                                                                                            |
| 05/21/1997 |      | Pre-trial conference held before Judge Sand. (rag) (Entered: 06/16/1997)                                                                                                                                                                                                                                       |
| 06/02/1997 | 1628 | NOTICE OF MOTION by City of Yonkers for attorney fees paid and expenses incurred . (dj) (Entered: 06/03/1997)                                                                                                                                                                                                  |
| 06/02/1997 | 1628 | AFFIDAVIT in support of Raymond P.Fitzpatrick, Jr. by City of Yonkers Re: [1628-1] motion for attorney fees paid and expenses incurred (dj) (Entered: 06/03/1997)                                                                                                                                              |
| 06/03/1997 | 1629 | Transcript of record of proceedings before Judge Sand filed for dates of April 17, 1997. (sac) (Entered: 06/03/1997)                                                                                                                                                                                           |
| 06/03/1997 | 1630 | DECLARATION of Marion Buchbinder (dj) (Entered: 06/05/1997)                                                                                                                                                                                                                                                    |
| 06/09/1997 | 1631 | MEMORANDUM OPINION # 78698 granting in part, denying in part [1626-1] motion requiring remedial relief from the added state of NY debts ( Signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 06/10/1997)                                                                                         |
| 06/10/1997 | 1632 | Letter filed by City of Yonkers dated 6/5/97 re the City urges the Court to enter the proposed order seeking to make the State debt. officials jointly liable to fund the EIP I remedy. (ls) (Entered: 06/11/1997)                                                                                             |
| 06/16/1997 | 1633 | ORDER, the Court is compelled to adjourn the proceedings previously scheduled to commence on 7/7/97. These proceedings are adjourned to 9/15/97. All other orders and directions of the Court continue in full force and effect. ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 06/17/1997) |
| 06/19/1997 | 1634 | Filed Memo Endorsement on letter to J. Sand from L. Thomas, dated 6/16/97, extending time to 8/15/97 re for completion of depositions , extending time to 9/5/97 re state's legal memorandum ( signed by Judge Leonard B. Sand ) (cd) (Entered: 06/19/1997)                                                    |
| 06/26/1997 | 1635 | ORDER, the Grassy Sprain Site is approved as the alternative site for new construction of 34 units of housing as provided in paragraph 4 of the SSLTPO. ( signed by Judge Leonard B. Sand ); Copies mailed (ae) (Entered: 06/27/1997)                                                                          |
| 06/26/1997 | 1636 | ORDER, the Court approves the return of the former School 15 site to the Yonkers Board of Education for the purpose of constructing a new elementary school on the site ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 06/27/1997)                                                          |
| 07/09/1997 | 1637 | Withdrawal of [1627-1] appeal. (97-6128) George Lange, III, Clerk, USCA, (as) (Entered: 07/11/1997)                                                                                                                                                                                                            |
| 08/13/1997 | 1638 | NOTICE OF MOTION for attorney fees and costs in the sum of \$32,190.05 for Michael Sussman , Return date 8/14/97 (cd) (Entered: 08/18/1997)                                                                                                                                                                    |
| 08/13/1997 | 1639 | AFFIDAVIT in support of M. Sussman Re: [1638-1] motion for attorney fees and costs in the sum of \$32,190.05 for Michael Sussman (cd) (Entered: 08/18/1997)                                                                                                                                                    |
| 09/04/1997 | 1640 | The States objection(s) to the 8/14/97 Monitors' Advisory Opinion (pl) (Entered: 09/08/1997)                                                                                                                                                                                                                   |
| 09/04/1997 | 1641 | Comments of the City of Yonkers on the Monitor's Advisory Opinion addressing distribution of the EIP 1 Financial Burden (pl) (Entered: 09/08/1997)                                                                                                                                                             |
| 09/06/1997 | 1642 | MEMORANDUM by State of New York; that there are no remediable vestiges of De Jure Segregation in the Yonkers School District (cd) (Entered: 09/11/1997)                                                                                                                                                        |
| 09/06/1997 | 1643 | DECLARATION in support by State of New York [1642-1] memorandum (cd) (Entered: 09/11/1997)                                                                                                                                                                                                                     |
| 09/08/1997 | 1644 | CORRECTED MEMORANDUM by State of New York re: Remediable vestiges of De Jure Segregation in the Yonkers School District (cd) (Entered: 09/11/1997)                                                                                                                                                             |
| 09/09/1997 | 1645 | DECLARATION in support of Ronald E. Streeter by N.Y.S. Education Dept. of the State's contention that "vestiges of desegregation" no longer exist in the Yonkers City School District. (ae) (Entered: 09/15/1997)                                                                                              |

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| 09/10/1997 | 1646 | RESPONSE by Yonkers Board of Edu. to Monitor's Advisory Opinion on Distribution of Financial Responsibility for EIP I. (kw) (Entered: 09/15/1997)                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 09/11/1997 |      | Pre-trial conference held (rag) (Entered: 09/29/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 09/12/1997 | 1650 | DECLARATION of Marion Buchbinder. (kw) (Entered: 09/16/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 09/15/1997 | 1647 | DECLARATION of Dr. David Weinberger Re: changing racial and ethnic enrollments in Yonkers (cd) (Entered: 09/16/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 09/15/1997 | 1648 | RESPONSE by City of Yonkers Re: [1644-1] memorandum (cd) (Entered: 09/16/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 09/15/1997 | 1649 | NOTICE of Filing, by City of Yonkers re testimony of Dr. Linda Darling-Hammond taken on 8/13/97 for use at trial (cd) (Entered: 09/16/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/15/1997 |      | Before J Sand; Bench trial held (cd) (Entered: 09/25/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 09/16/1997 |      | Before J. Sand; Bench trial held (cd) (Entered: 09/25/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/17/1997 |      | Bench trial held (cd) (Entered: 09/25/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/18/1997 |      | Bench trial held (cd) (Entered: 09/25/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/18/1997 |      | Bench trial held (cd) (Entered: 09/25/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/19/1997 |      | Bench trial held (cd) (Entered: 09/25/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/19/1997 |      | Bench trial held (cd) (Entered: 09/25/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/22/1997 |      | Before J. Sand; Bench trial held; decision reserved (cd) (Entered: 09/25/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 09/29/1997 | 1653 | PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND ARGUMENT ON REMAINING LEGAL ISSUES by State Defendants (ls) (Entered: 10/02/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 09/30/1997 |      | Memo endorsed on plttf-intervenors motion; granting in part, denying in part [1638-1] motion for attorney fees and costs in the sum of \$32,190.05 for Michael Sussman; ( signed by Judge Leonard Sand ); Copies mailed. (ls) (Entered: 10/01/1997)                                                                                                                                                                                                                                                                                                                        |
| 09/30/1997 | 1651 | Letter filed to Judge Sand from Lawrence W. Thomas for deft Yonkers Board of Edu dated 9/26/97 re the outstanding attys' fee application submitted by the plttf-intervenors in this matter; (docket & file as per Chmbrs.) (ls) (Entered: 10/02/1997)                                                                                                                                                                                                                                                                                                                      |
| 09/30/1997 | 1652 | Letter filed to Judge Sand from Raymond P. Fitzpatrick, Jr. for deft City of Yonkers dated 8/5/97 re Mr. Sussman's fee application dtd. 8/3/97; (docket & file as per Chmbrs.) (ls) Modified on 10/02/1997 (Entered: 10/02/1997)                                                                                                                                                                                                                                                                                                                                           |
| 09/30/1997 | 1654 | ORDER, the Court now orders the City of Yonkers to pay Sussman, Bernstein & Wotorson the sum of \$16,002.36 and the YBE to pay the sum of \$2,823.94 within fifteen days. The balance of sum claimed by counsel for intervenors is carried over until plaintiff-intervenors file an application for fees and costs against the State defendants, which they shall do within thirty days of entry of this Court's order on the issue of state contiribution currently pending before this Court (signed by Judge Leonard B. Sand); Copies mailed (pl) (Entered: 10/02/1997) |
| 09/30/1997 | 1655 | (CORRECTED) STATE DEFENDANTS' PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND ARGUMENT ON REMAINING LEGAL ISSUES. (ae) (Entered: 10/02/1997)                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 09/30/1997 | 1656 | POST-HEARING MEMORANDUM by City of Yonkers (ae) (Entered: 10/02/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 10/01/1997 | 1657 | Letter filed to Judge Sand from Lawrence W. Thomas dated 08/12/97 in re: having received a copy of the motion by NAACP for fees and costs for the period March - August 1997 (djc) (Entered: 10/03/1997)                                                                                                                                                                                                                                                                                                                                                                   |
| 10/01/1997 | 1658 | NAACP's Post-Hearing Submission (djc) (Entered: 10/03/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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| 10/06/1997 | 1659 | REPLY MEMORANDUM by State of New York re: in reply to the memorandum submitted by the Yonkers Board of Education, the NAACP, and the City of Yonkers. Received in the night deposit box on 10/6/97 at 8:57 p.m. (sac) Modified on 10/07/1997 (Entered: 10/07/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 10/06/1997 | 1660 | DECLARATION of Marion Buchbinder Re: [1659-1] reply memorandum. Received in the night deposit box on 10/6/97 at 8:57 p.m. (sac) (Entered: 10/07/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10/08/1997 | 1661 | ORDER, for further desegregation relief in the Yonkers Public Schools; this Order represents a final and appealable determination by this Court of the scope of the additional remedy needed to eliminate to the extent practicable the vestiges of the prior dual school system that this Court has found continue to exist in YPS. The Clerk is directed to enter in the docket of the Court a final judgment consistent with this Order ( signed by Judge Leonard B. Sand ); Copies mailed; sent original to J.C. on 10/8/97. (ae) Modified on 10/08/1997 (Entered: 10/08/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 10/08/1997 | 1662 | MEMORANDUM OPINION #79419, this opinion and the order entered this date address and resolve all of the matters relating to the Yonkers Public Schools submitted to this Court following the remand of this case by the Court of Appeals for the Second Circuit ( Signed by Judge Leonard B. Sand ); Copies mailed. (kw) (Entered: 10/08/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 10/14/1997 | 1663 | JUDGMENT ... Ordered Adjudged and Decreed that pursuant to the Court's Order for Further Desegregation Relief in the Yonkers Public Schools dated 10/8/97, EIP II is to be implemented pursuant to the substantive provisions and the implementation schedule in the Order for Further Desegregation Relief in the Yonkers Public Schools dated 10/8/97.. ( signed by Judge Leonard B. Sand ); James M. Parkison, Clerk EOD 10/14/97 Mailed copies and notice of right to appeal. (kk) (Entered: 10/14/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10/16/1997 | 1664 | REPLY MEMORANDUM by NAACP'S (pl) (Entered: 10/21/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 10/23/1997 | 1667 | MEMORANDUM by Yonkers Board of Education in support of [1665-1] motion for an award of attorneys' fees, expenses and costs against the State of New York and other State defendants, pursuant to 42 U.S.C. S 1988 as well as FRCP 54(d)(2) and this Court's Civil Rule 11. (kw) (Entered: 11/06/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10/28/1997 | 1665 | NOTICE OF MOTION by Yonkers Board of Edu for an award of attorneys' fees, expenses and costs against the State of New York and other State defendants, pursuant to 42 U.S.C. S 1988 as well as FRCP 54(d)(2) and this Court's Civil Rule 11 (ae) (Entered: 11/03/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 10/28/1997 |      | Memo endorsed on motion by Yonkers Board of Education for an award of attnys' fees against the state; decision deferred purs. to oral discussion this date ; ( signed by Judge Leonard B. Sand on 12/4/97 ); Copies mailed. (ls) (Entered: 12/09/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 11/03/1997 | 1666 | Transcript of record of proceedings before Judge Sand filed for dates of September 11, 1997 (bm) (Entered: 11/05/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 11/07/1997 | 1668 | NOTICE OF APPEAL by The State of NY, The Bd. of Regents of the State of NY, Carl T. Hayden Louise P. Matteoni, Jorge L. Batista, Edward J. Meyer, R. Carlos Carballada, Adelaide L. Sanford, Diane O'Neill McGivern, Saul B. Cohen, James C. Dawson, Robert M. Bennet, Robert M. Johnson, Peter M. Preyor, Anthony Bottar, Merryl H. Tisch, Harold O. Levy, Ena L. Farley, Dept. of Education of the State of NY, Richard P. Mills, Urban Development Corp. of the State of NY, Charles A. Gargano ; from [1663-1] judgment order, [1662-1] order this opinion and the order entered this date address and resolve all of the matters relating to the Yonkers Public Schools submitted to this Court following the remand of this case by the Court of Appeals for the Second Circuit, [1387-1] order Although the limited scope of this phase of the proceedings does not encompass an overall consideration of fiscal matters, it is appropriate to note, placing these issues in context, that Yonkers has had a long history of fundings its school system less generously than its more affluent Westchester neighbors. Because Yonkers has offered lower starting salaries than other Westchester communities or nearby NYC, has endured repeated budget crises, and perhaps because of the political and social turmoil which has been a part of Yonkers life for so long, teacher recruitment has not been easy. According to Assistant Supt. Joseph Michael Guerney, Yonkers spends less per capita for education than any other community in Westchester and would continue to do so even if the entire burden of funding EIP II were placed upon the City. Operating in this fiscal context and in a city |

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|            |      | <p>which has in the past resisted housing desegregation efforts w/ astonishing tenacity, the YBE's task of integrating its long segregated school system is indeed a formidable one. We find that the YBE, its former Supt., Dr. Joan Raymond, and her successor, Dr. Donald Batista, and their staffs, addressed this task w/ enthusiasm and a sincere desire to make EIP I succeed. This case is markedly different from the many cases in which further relief is sought by class representative because the managers of the City's school system have been either passive or half-hearted in their efforts to desegregate. We are satisfied that Dr. Batista's evaluation of the problems confronting the YBE in its efforts to eradicate vestiges of segregation is an accurate one. We find that although minority students in Yonkers attend school in the same buildings as majority students, they are undergoing different educational experiences. Proof of this lies, we believe, in the data shown w/ respect to achievement scores, suspensions, retentions and drop-out rates. We emphasize that we have answered the three questions posed in our 7/10/92 Opinion only and have not addressed any questions relating to the State's liability for the existence of these conditions nor any question relating to the relative responsibility of the City and State. These further questions will be addressed at the next stage of these proceedings. The parties are to confer and advise the Court in writing by 10/4/93 when they will be ready to proceed to trial on the remaining questions . Copies of notice of appeal mailed to Attorney(s) of Record: Michael H. Sussman, Steven J. Routh, Lisa Evans, Raymond P. Fitzpatrick, Lawrence W. Thomas, Fee Pd. \$ 105.00, Rec # 301134 . (as) (Entered: 11/12/1997)</p> |
| 12/01/1997 | 1669 | MEMORANDUM in opposition of State Defts' to [1665-1] motion for an award of attorneys' fees, expenses and costs against the State of York and other State defendants, pursuant to 42 U.S.C. S 1988 as well as FRCP 54(d)(2) and this Court's Civil Rule (cd) (Entered: 12/04/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 12/01/1997 | 1670 | MEMORANDUM in opposition to [1665-1] motion for an award of attorneys' fees, expenses and costs against the State of New York and other State defendants, pursuant to 42 U.S.C. S 1988 as well as FRCP 54(d)(2) and this Court's Civil Rule 11 (cd) (Entered: 12/04/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 12/02/1997 | 1671 | ORDER, recommendations 1-7 set forth in the Monitor's Advisory Opinion at 23-27 are to be implemented in a manner consistent with the schedule stated therein, subject to modification by the Court or the Monitor. Judgment shall be entered against the State defts to reimburse the City of Yonkers for its pro-rata share of 1996-97 EIPI costs. Such judgment shall be in the amount of \$9 million, subject to the Court Monitor's confirmation of actual expenditures to the Court by 12/31/97. The Court shall, thereafter, enter a judgment upon the State with payment to be made within 30 days subsequent to entry or by 4/1/98 whichever date is later. For Board of Education Fiscal years beginning in 1997-98 and thereafter, the State and all parties are directed to adhere to the process set forth as recommendation 2(f)1-5 of the Monitor's Advisory Opinion. The process shall proceed under the direction and control of the Court Monitor as authorized by the Court. The parties are directed to implement the remaining recommendations of the Monitor's Advisory Opinion and bring any further disputes or questions concerning this Order to the attention of the Monitor or Court as may be required from time to time ( signed by Judge Leonard B. Sand ); Copies mailed; (cd) Modified on 12/05/1997 (Entered: 12/04/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 12/04/1997 | 1675 | REPLY MEMORANDUM by City of Yonkers re: [1628-1] motion for attorney fees paid and expenses incurred (cd) (Entered: 12/10/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 12/05/1997 | 1672 | Transcript of record of proceedings before Judge Sand filed for dates of October 14, 1997 (pl) (Entered: 12/05/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 12/05/1997 |      | Memo endorsed on motion doc. #1628; decision deferred. See transcript of oral argument this date ( signed by Judge Leonard B. Sand ); Copies mailed. (ae) Modified on 12/10/1997 (Entered: 12/08/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/05/1997 | 1673 | Transcript of record of proceedings before Judge Sand filed for dates of September 19,22, 1997 (jp) (Entered: 12/08/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 12/05/1997 | 1674 | Transcript of record of proceedings before Judge Sand filed for dates of September 15,16,17,18, 1997 (pl) (Entered: 12/08/1997)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 12/30/1997 | 1676 | NOTICE OF APPEAL by The State of New York, the Board of Regents of the State of New York, Carl t. hAYDEN, LOUISE p. Matteoni, Jorge L. Batista, Edward J.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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|            |      | Meyer, R. Carlos Carballada, Adelaide L. Sanford, Diane O'Neill McGivern, Saul B. Cohen, James C. Dawson, Robert Bennet, Robert M. Johnson, Peter M. Preyor, Anthony S. Bottar, Merryl H. Tisch, Harold O. Levy and Ena L. Farley. ; from ; each and every part of the order on December 2, 1997 and from all interim orders and opinions of the District Court, including but not limited to the District Court's opinion dated October 8, 1997 . Copies of notice of appeal mailed to Attorney(s) of Record: Michael h. Sussman, Esq., Raymond P. Fitzpatrick Jr., Esq., Steven J. Routh, Esq., Lawrence W. Thomas, Esq. and Lisa Evens, Esq. \$105.00 Appeal filing fee paid on December 30, 1997 on receipt # E 304729. (dt) Modified on 12/30/1997 (Entered: 12/30/1997) |
| 12/31/1997 | 1677 | Transcript of record of proceedings before Judge Sand filed for dates of May 21, 1997 (jp) (Entered: 01/07/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 12/31/1997 | 1678 | Transcript of record of proceedings before Judge Sand filed for dates of April 17, 1997 (jp) (Entered: 01/07/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 01/07/1998 | 1679 | Monitor's Confirmation of 1996-97 EIP I Expenditure Burden to be Assumed by the State of New York; document returned to chambers of Judge Sand, as requested (dj) Modified on 01/08/1998 (Entered: 01/08/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 01/21/1998 | 1680 | NOTICE OF MOTION by state defts; for an order, nunc pro tunc, purs. to Rule 54(b) of the F.R.C.P. certifying purs. to Rule 54 (b) the finality of the partial jdgmt. entered on or about 10/14/97 ; declaration in support attached to motion; return date 2/5/98 (ls) (Entered: 01/26/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 01/26/1998 | 1681 | STATE DEFENDANTS' RESPONSE to Re: Education Monitor's Recommendation for State's 1996-97 EIP I Expenditure Burden (ae) (Entered: 01/29/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 01/28/1998 | 1683 | NOTICE OF MOTION by the plaintiff-intervenors; for an order pursuant to 42 U.S.C. sec. 1988, awarding to their counsel reasonable attorney's fees and litigation costs in the amount of \$59,501.00 in this matter and requiring the defendants to pay said fees w/in 20 days of said order , Return date 2/12/98 (ae) (Entered: 01/30/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 01/28/1998 | 1684 | AFFIRMATION in support of Michael H. Sussman Re: [1683-1] motion for an order pursuant to 42 U.S.C. sec. 1988, awarding to their counsel reasonable attorney's fees and litigation costs in the amount of \$59,501.00 in this matter and requiring the defendants to pay said fees w/in 20 days of said order (ae) (Entered: 01/30/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 01/29/1998 | 1682 | Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals on January 29, 1998. (dt) (Entered: 01/29/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/30/1998 | 1686 | STIPULATION of CONTENTS OF RECORD ON APPEAL (ys) (Entered: 02/04/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 02/02/1998 |      | Memo endorsed on motion; granting on consent [1680-1] motion for an order, nunc pro tunc, purs. to Rule 54(b) of the F.R.C.P. certifying purs. to Rule 54 (b) the finality of the partial jdgmt. entered on or about 10/14/97 (signed by Judge Leonard B. Sand); Copies mailed. (dj) Modified on 02/04/1998 (Entered: 02/03/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 02/02/1998 | 1685 | ORDER, pursuant to Rule 54(b) of the Rules of Civil Procedure, this Court expressly certifies, nunc pro tunc, that the judgment entered in this case on 10/14/97, in accordance with this Court's Order of 10/8/97, is a final appealable remedy against State defendants; There is no just reason for delaying entry of a final judgment with regard to claims seeking a further school desegregation remedy ( signed by Judge Leonard B. Sand ); Copies mailed; sent orig. to J.C. on 2/3/98. (ae) (Entered: 02/03/1998)                                                                                                                                                                                                                                                    |
| 02/02/1998 | 1687 | RESPONSE by Yonkers Board of Edu Re: [1680-1] motion for an order, nunc pro tunc, purs. to Rule 54(b) of the F.R.C.P. certifying purs. to Rule 54 (b) the finality of the partial jdgmt. entered on or about 10/14/97 (ls) (Entered: 02/05/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 02/05/1998 | 1688 | MEMORANDUM OPINION #80054, the statute of limitations does not bar the action against the UDC for conduct for which the Court of Appeals has found it liable. This Court hereby directs the UDC and its Director to submit a plan within 30 days for the provision of resources to implement the Housing Remedy Order heretofore established by this Court or to provide other suggested means of addressing the violation of the right of the class members to non-discriminatory housing ( Signed by                                                                                                                                                                                                                                                                        |

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|            |      | Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 02/06/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 02/05/1998 | 1689 | NOTICE OF MOTION by Yonkers Branch–Nat'l for an order requiring the City of Yonkers to forthwith identify sites for the construction of 50 additional units of affordable housing AND for an order of entry of an Order requiring the development by the City of Yonkers of timetables for the construction of each of the four new construction projects already approved by this Court ; no return date; Affirmation in support attached (dj) (Entered: 02/06/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 02/06/1998 | 1690 | Transcript of record of proceedings before Judge Sand filed for dates of December 4, 1997 (bm) (Entered: 02/06/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 02/10/1998 | 1691 | JUDGMENT #98,0308, in favor of the City of Yonkers against the State Defts in the amount of \$9,855,504.00. The judgment shall bear interest from 4/1/98. The judgment amount shall be paid directly to the City of Yonkers and must be received by its Commissioner of Finance by 4/1/98 ( signed by Judge Leonard B. Sand ); Mailed copies and notice of right to appeal. (cd) (Entered: 02/11/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 02/10/1998 | 1692 | AFFIRMATION of Raymond P. Fitzpaitic, Jr. Re: he submits this affirmation on the basis of his personal knowledge (sac) (Entered: 02/11/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/13/1998 | 1693 | AFFIDAVIT in opposition of Lawrence W. Thomas by Yonkers Board of Edu to Re: [1683–1] motion for an order pursuant to 42 U.S.C. sec. 1988, awarding to their counsel reasonable attorney's fees and litigation costs in the amount of \$59,501.00 in this matter and requiring the defendants to pay said fees w/in 20 days of said order. (kw) (Entered: 02/18/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 02/17/1998 | 1694 | State and UDC defts' declaration of Stephen M. Jacoby in opposition to the NAACP fee application. (kg) (Entered: 02/23/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/24/1998 | 1695 | AFFIDAVIT in opposition of Raymond Fitzpatrick by City of Yonkers Re: Intervenor's Motion to Enforce SSLTPO (cd) (Entered: 02/27/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 02/24/1998 | 1696 | REPLY by United States of Ame Re: motion to enforce SSLTPO (cd) (Entered: 02/27/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 02/26/1998 | 1697 | AMENDED NOTICE OF APPEAL ; from [1691–1] judgment order, [1663–1] judgment order, [1662–1] order this opinion and the order entered this date address and resolve all of the matters relating to the Yonkers Public Schools submitted to this Court following the remand of this case by the Court of Appeals for the Second Circuit, [1387–1] order Although the limited scope of this phase of the proceedings does not encompass an overall consideration of fiscal matters, it is appropriate to note, placing these issues in context, that Yonkers has had a long history of fundings its school system less generously than its more affluent Westchester neighbors. Because Yonkers has offered lower starting salaries than other Westchester communities or nearby NYC, has endured repeated budget crises, and perhaps because of the political and social turmoil which has been a part of Yonkers life for so long, teacher recruitment has not been easy. According to Assistant Supt. Joseph Michael Guernsey, Yonkers spends less per capita for education than any other community in Westchester and would continue to do so even if the entire burden of funding EIP II were placed upon the City. Operating in this fiscal context and in a city which has in the past resisted housing desegregation efforts w/ astonishing tenacity, the YBE's task of integrating its long segregated school system is indeed a formidable one. We find that the YBE, its former Supt., Dr. Joan Raymond, and her successor, Dr. Donald Batista, and their staffs, addressed this task w/ enthusiasm and a sincere desire to make EIP I succeed. This case is markedly different from the many cases in which further relief is sought by class representative because the managers of the City's school system have been either passive or half–hearted in their efforts to desegregate. We are satisfied that Dr. Batista's evaluation of the problems confronting the YBE in its efforts to eradicate vestiges of segregation is an accurate one. We find that although minority students in Yonkers attend school in the same buildings as majority students, they are undergoing different educational experiences. Proof of this lies, we believe, in the data shown w/ respect to achievement scores, suspensions, retentions and drop–out rates. We emphasize that we have answered the three questions posed in our 7/10/92 Opinion only and have not addressed any questions relating to the State's liability for the existence of these conditions nor any question relating to the relative responsibility of the City and State. These further questions will be addressed at the |

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|            |      | next stage of these proceedings. The parties are to confer and advise the Court in writing by 10/4/93 when they will be ready to proceed to trial on the remaining questions . Copies of notice of appeal mailed to Attorney(s) of Record: Michael H. Sussman, Raymond P. Fitzpatrick, Steven J. Routh, Lawrence W. THomas, Lisa Evans. (as) (Entered: 02/27/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 02/26/1998 | 1698 | AMENDED NOTICE OF APPEAL by State of New York, the Bd. of Regents, Carl T. Hayden, Louise P. Matteoni, Jorge L. Batista, Edward J. Meyer, R. Carlos Carballada, Adelaide L. Sanford, Diane O'Neill McGivern, Saul B. Cohen; James C. Dawson, Robert Bennett, Robert M. Johnson, Peter M. Preyor, Anthony S. Bottar, Merryl H. Tisch; Harold O. Levy; Edna L. Farley, Richard P. Mills, George Pataki; H. Carl McCall; Charles A. Gargano, ; from Order entered 12/2/97, the judgment entered 2/10/98 & the opinion dated 10/8/97. Copies of notice of appeal mailed to Attorney(s) of Record: Michael Sussman, Raymond Fitzpatrick, Steven J. Routh, Lawrence W. Thomas, Lisa Evans . (as) (Entered: 03/02/1998)                                                                                                                                                                                                                                                                                                                                  |
| 02/26/1998 | 1699 | NOTICE OF MOTION by State of New York, Board of Regents of, Jorge L Battista, Martin C Barrell, Shirley C Brown, R Carlos Carballada, Lora Bradley Chodos, Thomas Frey, Norma Gluck, Edward Meyer, Louise P Matteoni, Floyd S Linton, Emlyn I Griffith, Urban Development Co, U.S. Department of H, Norma Gluck, Emlyn I Griffith, State of New York, Salvatore Scalfini, Willard A Genrich, Adelaide L Sanford, Edward Meyer, Louise P Matteoni, Floyd S Linton, Willard A Genrich, Thomas Frey, Lora Bradley Chodos, Salvatore Scalfini, Adelaide L Sanford, R Carlos Carballada, Shirley C Brown, Board of Regents of, Jorge L Battista, U.S. Department of H, George Pataki (State Defendants); pursuant to Local Civil Rule 1.3(c) for the admission of Judith A. O'Brien, Esq., Partner in the law firm of Sutherland, Abill & Brennan, LLP, permitting Ms. O'Brien to appear, argue and try matters in this action, pro hac vice with the Attorney General, on behalf of State Defendants , Return date 3/12/98 (ae) (Entered: 03/03/1998) |
| 02/27/1998 |      | Terminated documents 1558-1;1508-1;1500-1;1488-2;1467-1; 1464-1;1462-1;1368-1;1269 -1 as per instructions of Judge Sand dated 02/27/98. (rag) (Entered: 02/27/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 02/27/1998 |      | Memo endorsed on motion, doc. #1689; motion disposed of in accordance with oral decision rendered this date. See transcript proceedings dated 2/26/98 ( signed by Judge Leonard B. Sand ); Copies mailed. (kw) (Entered: 03/02/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 03/04/1998 | 1700 | NOTICE OF APPEAL by Urban Development Co ; from [1688-1] order the statute of limitations does not bar the action against the UDC for conduct for which the Court of Appeals has found it liable. This Court hereby directs the UDC and its Director to submit a plan within 30 days for the provision of resources to implement the Housing Remedy Order heretofore established by this Court or to provide other suggested means of addressing the violation of the right of the class members to non-discriminatory housing, [1688-2] order . Copies of notice of appeal mailed to Attorney(s) of Record: Micheal H. Sussman, Esq., Raymond P. Fitzpatrick, Jr., Esq., Steven J. Routh, Esq., Lawrence W. Thmoas, Esq. and Diane Houk, Esq. \$105.00 Appeal filing fee paid on March 4, 1998 on receipt # E 309845. (dt) (Entered: 03/04/1998)                                                                                                                                                                                                 |
| 03/12/1998 | 1701 | ORDER AND JUDGMENT #98,0577; that w/in twenty days, defts shall pay the following sums to Michael H. Sussman: State of N.Y. Education defts - \$9,155; Urban Development Corp. - \$5,050; City of Yonkers - \$12,180; the balance of the fees and costs due counsel shall be pd. upon this court's determination of the actual apportionment of responsibility as between the defts; ( signed by Judge Leonard B. Sand ); mailed copies and notice of right to appeal; EOD 3/13/98 (ls) (Entered: 03/13/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 03/13/1998 |      | Memo endorsed on motion; granting [1699-1] motion pursuant to Local Civil Rule 1.3(c) for the admission of Judith A. O'Brien, Esq., Partner in the law firm of Sutherland, Abill & Brennan, LLP, permitting Ms. O'Brien to appear, argue and try matters in this action, pro hac vice with the Attorney General, on behalf of State Defendants; granted w/out opposition (signed by Judge Leonard B. Sand); Copies mailed; sent orig. to Ruth on 3/13/98 (ae) Modified on 03/16/1998 (Entered: 03/13/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 03/16/1998 | 1704 | Letter filed by Amy L. Abramowitz to Judge Sand dated 3/11/98, re: pursuant to the directions, of the Court in the Opinion and Order dated 2/5/98, the UDC defendants submit a statement of principles of their proposed plan as set forth in this letter (ae) (Entered: 03/18/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 03/16/1998 | 1705 | Monitor's Advisory Opinion as to who shall assume the responsibility for advancing 1998-99 EIP II Budgetary Allocations and how the cost of such responsibility shall be borne (ae) (Entered: 03/18/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 03/16/1998 | 1706 | RESPONSE by City of Yonkers to Re: State and UDC defendants' opposition to the NAACP Fee Application (ae) (Entered: 03/18/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 03/16/1998 | 1707 | NAACP Comments on Monitor's advisory opinion dated 3/9/98 (ae) (Entered: 03/18/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 03/17/1998 | 1702 | ORDER; the Court hereby orders the following real properties released from the freeze heretofore imposed on the disposition of City owned real estate: 1) 651 Warburton Avenue, BL 2500, Lot 65; 2) One Lakeview Avenue, BL 4000, Lot 25; the Court declines to release 956 Warburton Avenue, BL 3555, Lot 72, at this time pending further study of its possible relevance to new construction in connection with the Housing Remedy Order ( signed by Judge Leonard B. Sand ); Copies mailed (sac) (Entered: 03/18/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/17/1998 | 1703 | MEMORANDUM & ORDER granting in part, denying in part [1683-1] motion for an order pursuant to 42 U.S.C. sec. 1988, awarding to their counsel reasonable attorney's fees and litigation costs in the amount of \$59,501.00 in this matter and requiring the defendants to pay said fees w/in 20 days of said order ( signed by Judge Leonard B. Sand ); Copies mailed (cd) Modified on 03/18/1998 (Entered: 03/18/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 03/23/1998 | 1710 | RESPONSE and Objections by City of Yonkers to Monitor's Advisory Opinion Concerning Advanced Funding For EIP II (dj) (Entered: 03/26/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/24/1998 | 1708 | ORDER, the Monitor's Opinion of 3/9/98 addresses the question of who should advance the approximate amount of \$13.7 million which the proposed EIP II budget requires be provided to the Yonkers Board of Education by 4/15/98. The Court orders that the responsibility for providing the \$13.7 million be shared equally by the City and the State with the understanding that this ruling is entirely without prejudice to the question, soon to be before the Court, as to how the ultimate costs of implementing EIP II shall be allocated. Once that allocation is determined, appropriate adjustments can readily be made to the extent that either party has borne more than its ultimately determined share of the \$13.7 million. The State and City can and should work cooperatively in conjunction with the Monitor and, if appropriate the EFCB, in establishing the most efficient and least costly means of providing these funds. The cost of providing these funds will, of course, also enter into the final adjustments between the parties ( signed by Judge Leonard B. Sand ); Copies mailed (kw) Modified on 03/27/1998 (Entered: 03/25/1998) |
| 03/24/1998 | 1709 | Filed Memo-Endorsement on letter to Judge Sand from Joseph M. Pastore, Jr. dated 3/20/98, this letter is intended to provide the court with a status report on matters affecting the US v. Yonkers School Order to include a request for an extension on certain scheduling mandates set forth in the Court's Order of 10/8/98. I hope this report and the need for some modification in the schedule cited in the Order of 10/8/97 are both helpful and acceptable to the Court; Noted and accepted (signed by Judge Leonard B. Sand). (kg) Modified on 03/27/1998 (Entered: 03/25/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 03/26/1998 | 1711 | RESPONSE and Objections by Yonkers Board of Education to Monitor's Advisory Opinion Concerning Advanced Funding For EIP II (dj) (Entered: 04/01/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 04/06/1998 | 1712 | Transcript of record of proceedings before Judge Sand filed for dates of February 4, 1998 (jp) (Entered: 04/06/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 04/06/1998 | 1713 | Transcript of record of proceedings before Judge Sand filed for dates of February 26, 1998 (jp) (Entered: 04/07/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 04/22/1998 | 1714 | ORDER, the Yonkers Board of Education will open an elementary school (School 15) in a new building at 175 Westchester Avenue, Yonkers, NY in 9/98. The educational program at the school shall be set forth in Appendix A annexed to this Order. The Yonkers Board of Ed shall reopen the former Commerce School facility for use as a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|            |      | Middle School in 9/99. The educational program for the school is set forth in Appendix B. The Yonkers Board of Ed will revise the magnet programs in the following schools: School 5, Robert C. Dodson, Hostos and Casimir Pulaski. The educational programs for those schools is set forth in Appendix C ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 04/22/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 04/27/1998 | 1715 | MEMORANDUM by City of Yonkers on the Allocation of the Burden of Funding EIP II (djc) (Entered: 04/28/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 05/01/1998 | 1716 | MANDATE OF USCA (certified copy) Re: The Urban Development Corporation (UDC) and its chairman, Charles A. Gargano, filed a notice of appeal on or about March 5, 1998 from the February 5, 1998 "Opinion and Order;" IT IS NOW STIPULATED AND AGREED by and between the undersigned counsel for the parties that the above captioned appeal is withdrawn without costs and without attorneys' fees and without prejudice, subject to reinstatement by written notice to the Clerk of this Court by appellants' counsel within thirty (30) days of the filing of a subsequent order of the District Court endorsing a plan for UDC's participation in a housing remedy or otherwise ordering UDC to provide a specified housing remedy. If the appeal is not thus reinstated, it shall be deemed withdrawn with prejudice. (98-6046) George Lange, III, Clerk, U.S.C.A. (dt) (Entered: 05/06/1998) |
| 05/12/1998 | 1717 | Monitor's Advisory Opinion to the Court on the Selection of an External Evaluator to Report on Progress made under this order in the elimination of segregation vestiges. (rag) (Entered: 05/12/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 05/18/1998 | 1718 | RESPONSE AND PARTIAL OBJECTION by City of Yonkers Re: Monitor's Advisory Opinion (cd) (Entered: 05/19/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 05/19/1998 | 1719 | Objection to [1717-1] to Monitor's Recommendation for external Evaluator by Yonkers Branch-Nat'l. (kw) (Entered: 05/20/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 05/20/1998 | 1720 | ORDER, the Court adopts the Monitor's Advisory Opinion of 5/7/98, being of the Opinion that the Monitor has appropriately analyzed, discussed and resolved the relevant issues ; the Court hereby designates Metis Associates, Inc. to serve as the outside evaluator to measure progress toward the elimination of vestiges of segregation in the Yonkers Public Schools subject to such terms and conditions as the Monitor, after consultation with the parties, shall determine ( signed by Judge Leonard B. Sand ); Copies mailed (ae) (Entered: 05/20/1998)                                                                                                                                                                                                                                                                                                                                 |
| 05/27/1998 | 1721 | RESPONSE by State of New York to Monitor's Advisory Opinion on funding of EIP II and Five-Year Capital Plan (sac) (Entered: 05/29/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 05/27/1998 | 1722 | OBJECTIONS AND MEMORANDUM by City of Yonkers in response to the Monitor's Advisory Opinion on the allocation of the burden of funding EIP II. (sac) (Entered: 05/29/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 05/27/1998 | 1723 | Yonkers Board of Education's comments on and objections to the Monitor's 5/6/98 advisory opinion (sac) (Entered: 05/29/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 06/08/1998 |      | Hearing begun and concluded on pending of EIP-II and other housing and educational matters on 6/8/98 before Judge Sand (ae) (Entered: 06/24/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 06/15/1998 | 1724 | OPINION #80747, the Court recongnizes that more detail may be required to implement the foregoing into an order which will serve all of the budgetary and other needs of the parties. The Court remands to the Monitor the task of preparing, in consultation with the parties, an order embodying the foregoing ( Signed by Judge Leonard B. Sand ); Copies mailed. (ae) (Entered: 06/16/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 06/19/1998 | 1725 | Monitor's Advisory Opinion on how The Financial Burden for Educational Improvement Plan II (EIP II) operating and capital expenditures should be apportioned between The City of Yonkers and The State of New York (ae) (Entered: 06/24/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 07/15/1998 | 1726 | NOTICE OF MOTION by plaintiff-intervenors for an order granting attorneys fees and costs ; affidavit in support; Return date 7/30/98. (kw) (Entered: 07/16/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 07/27/1998 | 1727 | EIP FUNDING ORDER; this order more specifically will provide directions regarding implementation of this Court's Opinion of 6/15/98. The parties are ordered                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|            |      | to take steps as prescribed in this Order ( signed by Judge Leonard B. Sand ); Copies mailed (emil) (Entered: 07/28/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 08/05/1998 | 1728 | ORDER, that the award of \$1.8 million to the City of Yonkers is transferred to Y A Associates, as the designated developer of the Yonkers Avenue site referenced in the SSLTPO, subject to the rules and regulations and requirements of the Housing Trust Fund Corp and it is directed that all agreements necessary to facilitate the grant be concluded directly with Y A Associates ( signed by Judge John G. Koeltl ); Copies mailed (cd) (Entered: 08/06/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 08/06/1998 | 1729 | Transcript of record of proceedings filed for dates of June 8, 1998 before the Hon. Leonard B. Sand (djc) (Entered: 08/06/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 08/24/1998 | 1730 | Filed Memo-Endorsement on letter by Stephen M. Jacoby to Judge Sand dated 8/6/98, counsel for the State defendants writes to the court in regards to NAACP's application dated 7/13/98 for fees and costs for the period 1/25 - 7/11/98, totaling \$57,253.80, and the 8/3/98 letter of Raymond Fitzpatrick responding thereto; On closer review of the application, counsel has counted 31.25 hours of Mr. Sussman's time clearly identified as concerning current appeals in this case. Counsel believes such hours are not properly included and the request as to them is premature. Accordingly, the present request should be reduced by \$9,375. Based on the amount sought, subject to the adjustment above, and with the understanding that the City will pay a similar amount, the total amount to be assessed against State defendants is \$23,939.40; The fee application is granted to the extent of \$23,939.40 each to be paid by the City and the State. The parties are to attempt to resolve the remaining disputed items and are to advise the Court whether or not consensus has been reached ( signed by Judge Leonard B. Sand ) (ae) (Entered: 08/25/1998) |
| 08/24/1998 | 1731 | NOTICE OF INTERLOCUTORY APPEAL by State of New York & Added defts. from [1727-1] order this order more specifically will provide directions regarding implementation of this Court's Opinion of 6/15/98. The parties are ordered to take steps as prescribed in this Order, [1724-1] order the Court recongnizes that more detail may be required to implement the foregoing into an order which will serve all of the budgetary and other needs of the parties. The Court remands to the Monitor the task of preparing, in consultation with the parties, an order embodying the foregoing Entered on docket 6/15/98; Copies of notice of interocutory appeal mailed to Attorney(s) of Record: Michael H. Sussman, Raymond Fitzpatrick, Steven J. Routh, Lawrence W> THomas, Lisa Evans, Fee Pd., \$105.00, rec # 324086 . (as) (Entered: 08/27/1998)                                                                                                                                                                                                                                                                                                                           |
| 08/27/1998 |      | Pre-trial conference held before Judge Sand (jp) (Entered: 08/31/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 08/28/1998 | 1732 | NOTICE OF CROSS-APPEAL by City of Yonkers, Yonkers Board of Edu from each and every part of the order of the District Court for the Southern District of NY dated July 27, 1998 and entered July 29, (the EIP Funding Order) and from each and every relevant interim order and opinion of that Court, including but noit limited to, the District Court's Opinion, dated June 15, 1998 and entered June 16, 1998. Fee Pd., \$105.00, rec # 324356. (as) (Entered: 08/28/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/17/1998 | 1733 | ORDER, the City of Yonkers shall take all appropriate steps to implement the construction of the 64 rental unit Yonkers Avenue development utilizing the NYS Housing Trust Fund resources (1.8 million), federal tax credits previously awarded by the State to the developer (26 units) and Housing Investment Trust subsidy (20 units) as set forth in this document ( signed by Judge Leonard B. Sand ); Copies mailed (kw) (Entered: 09/18/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 10/19/1998 | 1734 | Monitor's Advisory Opinion on The Yonkers Public School's Proposed Changes to the Court-Approved Educational Improvement Plan II (EIP II) by Joseph M. Pastore, Jr. Monitor, U.S. v. Yonkers (ae) Modified on 10/20/1998 (Entered: 10/20/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 10/23/1998 | 1735 | NAACP REPLY to Monitor's Opinion dealing the the Yonkers' Superintendent's proposed changes to EIP II (ae) (Entered: 10/27/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 10/28/1998 | 1736 | RESPONSE by State Defendants' Response to Monitor's Advisory Opinion. (kw) (Entered: 10/29/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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| 10/29/1998 | 1738 | REPLY by Yonkers Fed. of Teac Re: Monitor's Opinion (cd) Modified on 01/06/2000 (Entered: 10/30/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 10/30/1998 | 1737 | Letter filed by Yonkers Board of Edu dated 10/28/98 re agreement with the Monitor's advisory Opinion (cd) (Entered: 10/30/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 10/30/1998 | 1739 | MEMORANDUM & ORDER, remanding the matter to the Monitor to pursue the further inquiries which are described in the Advisory Opinion and to furnish the additional budget and other necessary details ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 11/02/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 11/04/1998 | 1740 | Letter filed by Lawrence W. Thomas dated 10/30/98 re Yonkers' Board of Education and Administrative response to the Court Monitor's Inquiry Regarding Proposed Changes to EIP II. (djc) (Entered: 11/05/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 11/12/1998 | 1741 | ORDER, in May, 1998, the Court Monitor, following an evidentiary hearing attended by all parties, recommended to the Court the adoption of a five year Capital Facilities Plan proposed by the YBOE; the Court reaffirms that the City of Yonkers has the obligation to fund the Board of Education Capital Facilities Plan; The City of Yonkers shall provide the capital funding required by the EIP II Order of 10/8/97 to the Yonkers Board of Education not later than 1/1/99; the City shall report to the Monitor and the parties w/in 10 days of entry of this Order the actions it has taken to timely provide the required capital funding; should the City not comply with paragraph 2 or should the Monitor deem said compliance inadequate to achieve the objective set forth in paragraph 1 above, he shall promptly so report to the Court and the parties. In such an instance, the Court shall promptly require the City to show cuase why compliance has not ocured ( signed by Judge Leonard B. Sand ); Copies mailed (ae) (Entered: 11/13/1998) |
| 11/18/1998 | 1742 | State defts' response to monitor's advisory opinion on calculating 1996-97 EIP I funding liability filed. (jp) (Entered: 11/24/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 11/25/1998 | 1743 | Monitor's Advisory Opinion on whether the Federal Magnet Grant in support of 1996-97 Educational Improvement Plan I (EIP I) costs was appropriately and Accurately Credited in determining the 1996-97 EIP I Judgment upon the state of New York. (kw) (Entered: 11/25/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 11/25/1998 | 1744 | MEMORANDUM AND ORDER, the Advisory Opinion of 10/29/98 is adopted and approved as to both Recommendations 1 and 2 ( signed by Judge Leonard B. Sand ); Copies mailed (kw) (Entered: 12/01/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/25/1998 | 1746 | Letter filed dated 11/19/98 to Judge Sand from Judith A. O'Brien in re: corrected copy of page 14 of the State defendants' response to Monitor's Advisory Opinion on Calculating 1996-97 EIP I Funding Liability, which was filed with the Court on 11/18/98. (djc) (Entered: 12/02/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/01/1998 | 1745 | MANDATE OF USCA WITHDRAWING APPEAL (certified copy) Re: withdrawing [1732-1] cross appeal by Yonkers Board of Edu, City of Yonkers, [1731-1] interlocutory appeal by State of New York. Withdrawn without prejudice. (98-6190,98-6199) Carolyn Clark Campbell, Clerk, USCA. (as) (Entered: 12/01/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 12/01/1998 | 1747 | CONSENT ORDER, the parties hereby consent to entry of the Plan and no party shall appeal from this order or the opinion and order of 2/5/98 ( signed by Judge Leonard B. Sand ) (ae) (Entered: 12/03/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 12/01/1998 | 1748 | NOTICE OF MOTION by Yonkers Branch-Nat'l for an order awarding attorney's fees and litigation costs ; affirmation in support is attached; Return date 12/17/98 (kw) (Entered: 12/03/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/01/1998 |      | Pre-trial conference and hearing held before Judge Sand (jp) (Entered: 12/29/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 12/16/1998 | 1749 | Filed Meme-Endorsement on letter addressed to Judge Sand from Raymond P. Fitzpartick, Jr., dated 12/15/98; the City respectfully requests that the Court extend the deadline in its 11/12/98 Order from Jan. 1st to 1/15/99. Deadline extended to 1/15/99 as requested ( signed by Judge Leonard B. Sand ) (sac) (Entered: 12/17/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| 12/18/1998 | 1750 | Filed Memo Endorsement on letter to Judge Sand from Joseph Pastore, dated 12/14/98, extending time for the Monitor's report to the Court on audited 1997-98 EIP costs be extended from 12/31/98 to 1/31/99, as requested ( signed by Judge Leonard B. Sand ) (cd) (Entered: 12/21/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 12/21/1998 | 1751 | ORDER, the court having entered an Opinion and Order on 2/5/98, which has been published at 992 F. Supp. 672, 1998 WL 47822, and 1998 U.S. Dist. LEXIS 1044, and having modified said Opinion and Order at the 12/1/98 hearing based on the waiver by defendant Urban Development Corp. of its statute of limitations defense, and having further consistently modified the Opinion and Order as requested in the 12/16/98 letter of the Asst. Attorney General; the Clerk is directed to enter the annexed modified Opinion and Order as modified this date, and to make it available for publication, and to request that it be published, in the same manner as the originally 2/5/98 Opinion and Order was published ( signed by Judge Leonard B. Sand ); Copies mailed (ae) (Entered: 12/22/1998)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 12/21/1998 | 1752 | MODIFIED OPINION AND ORDER #80054, on 10/8/97, following remand from the Court of Appeals for the Second Circuit, 96 F.3d 600 (2d Cir.1996), this Court entered an Opinion and Order (1997 WL 629836) which addressed all of the liability matters relating directly to the Yonkers Public Schools; deferred issuance of a housing remedy order directing to the State and deferred a redetermination of whether the Urban Development Corp.'s conduct constituted a "continuing wrong" so that the NAACP's action against the UDC was not time barred. The UDC has now waived the statute of limitations defense with regard to the housing claims, and this defense is therefore now moot; we therefore find that the statute of limitations defense, which has been waived, does not bar the action against UDC for conduct for which the Court of Appeals has found it liable. This Court hereby directs the UDC and its Directors to submit a plan w/in 30 days for the provision of resources to implement the Housing Remedy Order heretofore established by this Court or to provide other suggested means of addressing the violation of the right of the class members to nondiscriminatory housing ( Signed by Judge Leonard B. Sand ); Copies mailed. (ae) (Entered: 12/22/1998) |
| 01/11/1999 |      | Memo endorsed on motion; encompassed within 1/11/99 order ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 01/12/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 01/11/1999 |      | Memo endorsed on motion; granting [1748-1] motion for an order awarding attorney's fees and litigation costs. Motion granted without opposition. ( signed by Judge Leonard B. Sand ); Copies mailed. (jp) (Entered: 01/12/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/11/1999 |      | Memo endorsed on motion, document #1683; encompassed with 1/11/99 order ( signed by Judge Leonard B. Sand ); Copies mailed. (jp) (Entered: 01/12/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 02/01/1999 | 1753 | State defendants' response to Monitor's Updated Advisory Opinion (dj) (Entered: 02/03/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 02/01/1999 | 1754 | REPLY by Yonkers Fed. of Teac to Monitor's Opinion. (dj) (Entered: 02/03/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 02/03/1999 | 1755 | RESPONSE by Yonkers Board of Edu to Monitors updated advisory opinion on the yonkers public schools amended proposal to modify the Court approved educational improvement plan (EIP II). (jp) (Entered: 02/05/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 02/03/1999 | 1756 | REPLY by Yonkers Branch-Nat'l to Monitor's Report dated 1/15/99 (sac) (Entered: 02/08/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 02/09/1999 | 1757 | Transcript of record of proceedings filed for dates of 12/1/98 3:55pm before Judge Sand. (ri) (Entered: 02/16/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 02/10/1999 |      | Pre-trial conference held before Judge Sand on 2/10/99 (ls) (Entered: 04/15/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 02/23/1999 | 1758 | AFFIDAVIT in support of Steven Frey by Yonkers Fed. of Teac of YFT's response to both the Monitor's Updated Advisory Opinion on the Yonkers Public Schools Amended Proposal to Modify the court-approved Educational Improvement Plan and the YPS's Amended Proposal to Modify the court - Approved EIP II (dj) (Entered: 02/26/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 02/25/1999 | 1760 | NOTICE of attorney appearance for United States of Ame by Lisa M. Evans (jp) (Entered: 02/26/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| 02/26/1999 | 1759 | Filed Memo-Endorsement on letter by Katherine A. Levine dated 2/19/99, defendant YFT requests that this Court grant the their application for expanded intervenor status and permit them to call a witness, if necessary, at the February 25th hearing; application denied as moot and on the merits. See transcript proceedings of 2/25/99 ( signed by Judge Leonard B. Sand ) (pl) Modified on 03/02/1999 (Entered: 02/26/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 02/26/1999 | 1761 | Memo endorsed on monitors advisory opinion; adopted and approved without objection, see transcript of this date ( signed by Judge Leonard B. Sand ); Copies mailed. (jp) (Entered: 03/01/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 03/08/1999 | 1762 | ORDER; w/ regard to the Capital Improvement Plan; the City of Yonkers shall provide the capital funding required by the plan not later than 5/1/99; the City shall report to the Court Monitor and the parties w/in 10 days of entry of this order the actions it has taken to timely provide the required capital funding; that should the City not comply w/ paragraph 2 or should the Monitor deem said compliance inadequate to achieve the objective set forth in paragraph 1 above, he shall promptly so report to the Court and the parties; in such an instance, the Court shall promptly require the City to show cause why compliance has not occurred ; ( signed by Judge Leonard B. Sand ); copies mailed (ls) (Entered: 03/09/1999)                                                                                                                          |
| 03/25/1999 | 1763 | NOTICE OF APPEAL by Added Dedendants the State of New York, et al., ; from ; each and every part of an Order of District Court for the Southern District of New York (Hon. Leonard B. Sand, District Judge) dated fFebruary 25, 1999, noted on March 1, 1999 docket entry and entered on February 26, 1999, which adopted and approved the monitor's January 15, 1999 Advisory Opinion concerning modifications bt the Yonkers Board of Education of relief (Educational Improvement Plan II) ; and from each and every relevant interim order and opinion of that Court. Copies of notice of appeal mailed to Attorney(s) of Record:Michael H. Sussman, Esq., Raymond Fitzpatrick, Jr., Esq., Steven J. Routh, Esq., Lawrence W. Thomas, Esq., Lisa M. Evans, Esq. \$105.00 Appeal filing fee paid on March 25, 1999 on receipt # E 340742. . (dt) (Entered: 03/25/1999) |
| 03/25/1999 |      | Notice of appeal and certified copy of docket to USCA: [1763-1] appeal ; Copy of notice of appeal sent to District Judge. (dt) (Entered: 03/25/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/31/1999 | 1764 | RESPONSE by State of New York to Monitor's 3/22/99 Advisory Opinion on confirmation of 1997-98 EIP I Expenditure Burden (sac) (Entered: 04/06/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 04/02/1999 | 1766 | Comments of deft City of Yonkers concerning monitor's advisory opinion confirming 1997-98 EIP I Expenditure burden. (jp) (Entered: 04/06/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 04/05/1999 | 1765 | MEMORANDUM; we adopt the Monitor's Advisory Opinion of 3/22/99, including its determination that the final figure for 1997-98 EIP I Expenditure Burden if \$11,632,453 to be paid by 5/1/99. We adopt all else contained in that Opinion subject to the comments set forth herein. ( signed by Judge Leonard B. Sand ); Copies mailed (sac) (Entered: 04/06/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 04/06/1999 | 1767 | RESPONSE by Yonkers Board of Education to Monitor's Advisory Opinion on conformation of 1997-98 EIP I Expenditure Burden. (sac) (Entered: 04/07/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 04/06/1999 | 1768 | Monitor's Confirmation of the 1997-98 EIP I Expenditure Burden to be apportioned between the City of Yonkers and the State of N.Y. (sac) (Entered: 04/07/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 04/06/1999 | 1769 | SUPPLEMENTAL STATE RESPONSE by State of New York Re: to Monitor's 3/22/99 advisory opinion on confirmation of 1997-98 EIP I Expenditure Burden. (ri) (Entered: 04/09/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 04/12/1999 | 1770 | Transcript of record of proceedings filed before Judge Leonard B. Sand for dates of February 25, 1999 at 9:30 A.M. (sn) (Entered: 04/12/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 04/12/1999 | 1771 | Transcript of record of proceedings filed before Judge Leonard B. Sand for dates of February 10, 1999 at 11:30 AM. (sn) (Entered: 04/12/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 04/12/1999 | 1772 | Transcript of record of proceedings filed before Judge Leonard B. Sand for dates of February 24, 1999 at 2:30 P.M. (sn) (Entered: 04/15/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| 04/14/1999 | 1773 | ORDER; that the City shall submit to a designated representative of the Department of Justice (who, unless and until the Dept. of Justice shall designate another individual, shall be Diane Houk) data relating to such proposed transactions that will be of such nature as to enable an evaluation of whether the transaction is consistent with the Court's prior orders and entails an appropriate expenditure of federal funds; no such transaction shall be consummated without the prior written approval of the Department of Justice but that if no objection is raised within five (5) business days after submission of the relevant data, such approval shall be presumed. ( signed by Judge Leonard B. Sand ); Copies mailed (pl) Modified on 04/19/1999 (Entered: 04/15/1999) |
| 04/14/1999 |      | Pretrial Conference held before Judge Leonard B. Sand . (jp) (Entered: 07/06/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 04/15/1999 | 1774 | ORDER & JUDGMENT #99,0844, that state debts pay to the City of Yonkers the sum of \$11,321,557 on or before 5/1/99 as the State's remaining share of 1997-98 EIP I costs ( signed by Judge Leonard B. Sand ); Mailed copies and notice of right to appeal. Entered on 4/16/99 (cd) Modified on 04/20/1999 (Entered: 04/16/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 04/15/1999 | 1775 | ORDER & JUDGMENT; it is hereby ordered that State debts pay to the City of Yonkers on or before 5/1/99 the sum of \$69,108,227 as and for the State's unpaid share of estimated costs for 1998-99, subject to the final determination of the actual amount of EIP costs for 1998-99 and each party's share thereof and confirmation purs. to procedures set out in the EIP Funding Order of 7/27/98. ( signed by Judge Leonard B. Sand ); Mailed copies and notice of right to appeal. Entered on 4/16/99. (sac) (Entered: 04/16/1999)                                                                                                                                                                                                                                                       |
| 05/04/1999 |      | USCA Case Number Re: [1763-1] appeal USCA NUMBER: 99-6074. (dt) (Entered: 05/04/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/04/1999 | 1776 | ORDER; that the City shall show cause at a hearing to be held in Courtroom 15A, 500 Pearl St., New York, N.Y. at 11:00 a.m on the 6th day of May, 1999, why it should not be held in contempt of this Court's 3/8/99 order and to show cause why, if the City is found to be in contempt of said order, appropriate sanctions should not be imposed ; ( signed by Judge Leonard B. Sand ); copies mailed (ls) (Entered: 05/05/1999)                                                                                                                                                                                                                                                                                                                                                          |
| 05/05/1999 |      | Memo endorsed on City Of Yonkers motion for entry of an order requiring remedial relief from the added State of N.Y. Debts. (doc. #1626); Resolved by subsequent proceedings in this case ; ( signed by Judge Leonard B. Sand ); copies mailed. (ls) Modified on 05/06/1999 (Entered: 05/06/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 05/14/1999 | 1777 | NOTICE OF APPEAL by State of New York ; from [1775-1] judgment order . Copies of notice of appeal mailed to Attorney(s) of Record: Raymond Fitzpatrick, Jr., Esq., Steven J. Routh, Esq., Michael Sussman, Esq., Lawrence W. Thomas, Esq. Fee Pd. \$105.00, rec# 345277 . (as) (Entered: 05/17/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 05/14/1999 |      | Notice of appeal and certified copy of docket to USCA: [1777-1] appeal by State of New York ; Copy of notice of appeal sent to District Judge. (as) (Entered: 05/17/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 05/14/1999 | 1778 | NOTICE OF APPEAL by State of New York ; from [1774-1] judgment order . Copies of notice of appeal mailed to Attorney(s) of Record: Raymond Fitzpatrick, Esq., Steven J. Routh, Esq., Michael Susman, Esq., Lawrence W. Thomas. Fee Pd., \$105.00, Rec# 345276 . (as) (Entered: 05/17/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 05/14/1999 |      | Notice of appeal and certified copy of docket to USCA: [1778-1] appeal by State of New York ; Copy of notice of appeal sent to District Judge. (as) (Entered: 05/17/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 05/18/1999 | 1779 | ORDER, the City of Yonkers is directed to pay forthwith the outstanding bill of Telesis Corp for the services of the Court's Housing Monitor, Marilyn Melkonian, in the amount of \$43,510, covering approximately six months of services. In order to prevent a build-up of such bills for significant periods of time, the Housing Monitor is directed to submit bills monthly and to advise the Court if such bills are not paid within 30 days ( signed by Judge Leonard B. Sand ); Copies mailed (cd) (Entered: 05/19/1999)                                                                                                                                                                                                                                                             |
| 06/01/1999 | 1780 | ORDER; the Court having been advised by the Special Housing Master that the following two parcels are not appropriate for new construction or other efforts related                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|            |      | to the SSLTPO, they are hereby released from the Court's prior freeze Order. (1) Block 4812, Lot 59, 14 Agnola Street; and (2) Block 5488, Lots 30,32,34,38: 68,72,76,84 Falcon Road. ( signed by Judge Leonard B. Sand ); Copies mailed (sac) (Entered: 06/01/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/01/1999 | 1781 | ORDER; that the City is hereby awarded 43 credits for Year 2 as identified by the parties in conference held with the Court's Special Housing Master. The Court hereby directs that, within twenty-one days from the date of this order (the "Distribution Date") the parties submit to the Court an explanation of why the Disputed Credits should or should not receive credit; that by the Distribution Date the City develop and circulate to all the parties and the Court a proposal to increase substantially the number of Priority 1 families served by the existing housing program ("Priority 1 Outreach Efforts) ; the 4/14/99 Interim Order is hereby rescinded; in connection with the services provided through the existing housing program, the City shall receive credits as set for under the SSLTPO for scuring housing for Priority 1 families, and for any other failmilies who have, by 5/6/99 as set forth in this order ( signed by Judge Leonard B. Sand ); Copies mailed (pl) Modified on 06/04/1999 (Entered: 06/02/1999) |
| 06/08/1999 | 1782 | MANDATE OF USCA WITHDRAWING APPEAL (certified copy) Re: withdrawing [1763-1] appeal. (99-6074) Karen Greve Milton, Acting Clerk, USCA. (as) (Entered: 06/08/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 06/09/1999 | 1783 | Transcript of record of proceedings filed for dates of 4/14/99 @12:30 before Judge Sand. (lam) (Entered: 06/15/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/17/1999 |      | USCA Case Number Re: [1777-1] appeal by State of New York, [1778-1] appeal by State of New York USCA NUMBER: 99-6128(L), 99-6132(Con). (dt) (Entered: 06/17/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 06/22/1999 | 1784 | City Of Yonkers' Submission Concerning Disputed Year 2 Existing Housing Credits And Other Pending Matters (ls) (Entered: 06/23/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 07/09/1999 | 1785 | NOTICE OF MOTION by City of Yonkers for an order staying the effect of the October 8, 1997 Order for further desegregation relief in the Yonkers Public Schools ; No return date date (dj) (Entered: 07/12/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 07/09/1999 |      | Pretrial Conference held before Judge Leonard B. Sand . (jp) (Entered: 07/28/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 07/13/1999 | 1786 | MEMORANDUM of LAW by State of New York Defendants in support of [1785-1] motion for an order staying the effect of the O ctober 8, 1997 Order for further desegregation relief in the Yonkers Public Schools (filed in the Court's night deposit box on 7/13/99 at 5:39pm) (ri) (Entered: 07/14/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 07/14/1999 | 1788 | BRIEF by City of Yonkers in support of [1785-1] motion for an order staying the effect of the October 8, 1997 Order for desegregation relief in the Yonkers Public Schools (dj) (Entered: 07/16/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 07/15/1999 | 1787 | RESPONSE/OPPOSITION by Yonkers Branch-Nat'l to [1785-1] motion for an order staying the effect of the O ctober 8, 1997 Order for further desegregation relief in the Yonkers Public Schools (dj) (Entered: 07/16/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 07/19/1999 | 1789 | MEMORANDUM and ORDER denying [1785-1] motion for an order staying the effect of the October 8, 1997 Order for further desegregation relief in the Yonkers Public Schools (signed by Judge Leonard B. Sand); Copies mailed. (ri) Modified on 07/20/1999 (Entered: 07/19/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 07/19/1999 | 1790 | FURTHER MEMORANDUM by Yonkers Branch-Nat'l in opposition to [1785-1] motion for an order staying the effect of the October 8, 1997 Order for further desegregation relief in the Yonkers Public Schools (pl) (Entered: 07/21/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 07/19/1999 |      | Memo endorsed on motion; denying [1785-1] motion for an order staying the effect of the O ctober 8, 1997 Order for further desegregation relief in the Yonkers Public Schools ( signed by Judge Leonard B. Sand ); Copies mailed. (dj) (Entered: 07/21/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 07/22/1999 | 1791 | Filed Memo-Endorsement on letter addressed to Judge Sand from Marilyn Melkonian, dated 7/21/99, the Housing Monitor's summary and recommendation memo will be distributed on 7/26/99. The parties will have an opportunity to provide                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|            |      | comments to your office by 7/30/99, which comments will also be distributed to all of the parties ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 07/23/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 07/27/1999 | 1792 | MANDATE OF USCA WITHDRAWING APPEAL (certified copy) Re: withdrawing [1778-1] appeal by State of New York, [1777-1] appeal by State of New York, [1700-1] appeal by Urban Development Co, [1732-1] cross appeal by Yonkers Board of Edu, City of Yonkers. (99-6074) Karen Greve Milton, USCA. (as) (Entered: 07/27/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 07/27/1999 | 1793 | NOTICE OF MOTION by City of Yonkers for an order, making appropriate modifications to the EIP Funding Order entered on 7/23/98 to address changed circumstances. ; Return date not indicated. Affidavit of James Laperche in support attached. (sac) (Entered: 07/28/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 07/29/1999 | 1794 | MEMORANDUM AND ORDER, denying [1793-1] motion for an order, making appropriate modifications to the EIP Funding Order entered on 7/23/98 to address changed circumstances. ( signed by Judge Leonard B. Sand); Copies mailed. (cd) Modified on 08/02/1999 (Entered: 07/30/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 07/29/1999 | 1796 | State defendants' Memorandum of Law in Opposition to City's Motion to Modify July 27, 1998 Funding Order (corrected) (dj) (Entered: 08/04/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/03/1999 | 1795 | MANDATE OF USCA WITHDRAWING APPEAL (certified copy) Re: withdrawing [1778-1] appeal by State of New York, [1777-1] appeal by State of New York. Withdrawn without costs and without prejudice. (99-6128,99-6132) Karen Greve Milton, Clerk, USCA. (as) (Entered: 08/03/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 08/05/1999 |      | Memo endorsed on City of Yonkers' Motion to Modify EIP Funding Order, docmt #1793; Application denied. (signed by Judge Leonard B. Sand ); Copies mailed. (dj) (Entered: 08/05/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 09/09/1999 |      | Pretrial Conference held before Judge Leonard B. Sand . (cd) (Entered: 10/07/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 09/13/1999 | 1797 | Transcript of record of proceedings before Judge Sand filed for dates of 7/9/99 (jp) (Entered: 09/13/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 09/27/1999 | 1798 | Comments & Objection(s) by City of Yonkers re Proposed Amendment of Housing Remedial Orders (cd) (Entered: 09/29/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 11/15/1999 | 1799 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of 9/9/99. (sl) (Entered: 11/17/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 11/22/1999 |      | Pretrial Conference held before Judge Leonard B. Sand. (sac) (Entered: 12/03/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 11/29/1999 | 1800 | MANDATE OF USCA (certified copy) Re: remanded - (97-6284)(97-6338) ON CONSIDERATION WHEREOF, if is now hereby ORDERED, ADJUDGED and DECREED that the petition for rehearing be and it hereby is granted, and that the prior opinion of this court is vacated, and the order of district court is affirmed in part, vacated in part, and remanded to said district court for further proceedings in accordance with the opinion of this court. FURTHER ORDERED that the mandate shall issue forthwith, and that the jurisdiction will be restored to this Court without a new notice of appeal when any of the parties furnishes a copy of the district court's ruling on remand to the clerk of this court, and the case shall be referred to this panel upon its return to this Court's jurisdiction. ISSUED AS MANDATE: 11/16/99 (rag) (Entered: 11/30/1999) |
| 11/30/1999 | 1801 | Memo-Endorsement on letter addressed to Judge Sand from Robert M. Blum, dated 11/24/99. Re: counsel for the State depts requests that the Court reconsider certain aspects of the order issued at the conclusion of the telephone conference on 11/22/99. Application denied . ( signed by Judge Leonard B. Sand ); Copies mailed. (sn) (Entered: 12/02/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 12/08/1999 |      | Pretrial Conference held before Judge Leonard B. Sand . (jp) (Entered: 02/07/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 12/27/1999 | 1804 | Appeal reinstated. [1763-1] appeal USCA NUMBER: 99-6074. (dt) (Entered: 01/03/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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| 12/29/1999 | 1802 | THIRD SUPPLEMENTAL LONG TERM PLAN ORDER; that on 9/9/99, the Court held a hearing regarding the interpretation and implementation of the Court's prior housing remedy orders; the Court held a hearing addressing the status of compliance with the SSLTPO. The Court also received written submissions from the parties. The Court the parties to examine matters further in meetings with the Housing Monitor. Pursuant to the Court's Order dated 6/1/99, the parties made additional written submissions on or about 6/21/99. After reviewing recommendations made by the Housing Monitor, dated 7/28/99, and reviewing further written comments submitted by the parties in July and August 1999, as well as considering the parties' oral argument made during the hearing on 9/9/99, the Court directs that the following actions take place to further the implementation of the remedy orders in this case. To the extent inconsistent with prior orders of the Court, the following provision shall govern under the terms set forth in this Third Supplemental Long Term Plan Order . ( signed by Judge Leonard B. Sand ); Copies mailed. (pl) Modified on 01/06/2000 (Entered: 01/03/2000)                                                                                   |
| 01/03/2000 | 1803 | Appeal reinstated. [1777-1] appeal by State of New York USCA NUMBER: 99-6128 & 99-6132. The State Defendants Hereby reinstate the above-refernced appeals in accordance with the Stipulaion to Withdraw Appeals Without Prejudice filed in this Court on July 26, 1999. Please note that the State Defendants are simultaneously reinstating a related appeal in Docket No. 98-6190. We beleive it is appropriate to consolidate these appeals with the related appeal, as all three appeals are from orders defining the State Defendants' liability for funding the Yonkers Public Schools desegregations remedy. Furthermore, the instatnt appeals are related to the appeals in this case recently decided by a panel of this Court on November 16, 1999 (Docket Nos. 97-6284 & 97-6338) which, after remand, will be restored to this Court's jurisdiction and referred to the same panel. (99-6128 & 99-6132) Karen Greve Milton, Acting Clerk, U.S.C.A. (dt) (Entered: 01/03/2000)                                                                                                                                                                                                                                                                                                |
| 01/03/2000 | 1805 | Appeal reinstated doc. # 1731 & 1732. USCA NUMBER: 98-6190 & 98-6199. (dt) (Entered: 01/03/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 01/04/2000 | 1806 | Memo-Endorsement on letter addressed to Judge Sand from Joseph M. Pastore, Jr., dated 12/22/99; granting Mr. Pastore's request for an extension of the date by which the confirmation of EIP expenditures report is due until 3/1/00. ( signed by Judge Leonard B. Sand ); Copies mailed. (sac) (Entered: 01/04/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 01/04/2000 | 1807 | Memo-Endorsement on letter addressed to Judge Sand from Raymond P. Fitzpatrick, Jr., dated 12/20/99. Re: counsel for deft requests that if no objections are received, that the Court endorse the attached request seeking the release of 7 lots of Block 2366 near Saw Mill River Road in Yonkers. Release granted . ( signed by Judge Leonard B. Sand ); Copies mailed. (sn) (Entered: 01/05/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 01/05/2000 | 1808 | Comments and Objection(s) by City of Yonkers concerning the proposed Third Supplemental Long Term Plan Order submitted by counsel for the United States to the Court on 12/21/99. (jp) (Entered: 01/07/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 01/12/2000 | 1809 | ORDER, the subdivision and site plan for construction of 34 mixed income housing units (attached in pairs) on the Grassy Sprain site with the above-stated variances is approved ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 01/12/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 01/14/2000 | 1810 | NOTICE OF APPEAL by City of Yonkers ; from [1802-1] order that on 9/9/99, the Court held a hearing regarding the interpretation and implementation of the Court's prior housing remedy orders; the Court held a hearing addressing the status of compliance with the SSLTPO. The Court also received written submissions from the parties. The Court the parties to examine matters further in meetings with the Housing Monitor. Pursuant to the Court's Order dated 6/1/99, the parties made additional written submissions on or about 6/21/99. After reviewing recommendations made by the Housing Monitor, dated 7/28/99, and reviewing further written comments submitted by the parties in July and August 1999, as well as considering the parties' oral argument made during the hearing on 9/9/99, the Court directs that the following actions take place to further the implementation of the remedy orders in this case. To the extent inconsistent with prior orders of the Court, the following provision shall govern under the terms set forth in this Third Supplemental Long Term Plan Order, [1802-2] relief . Copies of notice of appeal mailed to Attorney(s) of Record: Michael H. Sussmna, Esq., Stephen M. Jacoby, Esq. and Diane L. Houk, Esq. \$105.00 Appeal |

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|            |      | filing fee paid 1/18/00 on receipt # E 363926. (dt) (Entered: 01/18/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 01/18/2000 |      | Notice of appeal and certified copy of docket to USCA: [1810-1] appeal by City of Yonkers ; Copy of notice of appeal sent to District Judge. (dt) (Entered: 01/18/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 01/21/2000 | 1811 | NOTICE OF MOTION by Yonkers Branch-Nat'l, for an order, pursuant to 42 USC sec 1988, awarding to their counsel reasonable attorney's fees in the sum of \$62,190 and reasonably incurred litigation costs in the sum of \$1,263.55 and requiring the defendants to pay said fees within 20 days of said order . Return date 2/3/00 at 2:15 p.m. (Affirmation of Michael H. Sussman in support attached) (ri) (Entered: 01/24/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 01/24/2000 |      | USCA Case Number Re: [1778-1] appeal by State of New York USCA NUMBER: 98-6190(Lead) & 98-6100(Xap). (dt) (Entered: 01/24/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 01/24/2000 |      | USCA Case Number Re: [1804-1] appeal USCA NUMBER: 99-6074. (dt) (Entered: 01/24/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 01/24/2000 | 1812 | AMENDMENT TO THIRD SUPPLEMENTAL LONG TERM PLAN ORDER; the 3rd Supplemental Long Term Plan Order, dated 12/29/99, is amended by adding at the start of paragraph 5 the following sentence: this paragraph 5 relates solely to the existing housing program and in no way alters the requirements for occupancy of new construction. ( signed by Judge Leonard B. Sand ); Copies mailed. (sac) (Entered: 01/25/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 01/25/2000 |      | Pretrial Conference held before Judge Leonard B. Sand . (jp) (Entered: 02/07/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 01/31/2000 | 1813 | DECLARATION of Stephen Jacoby by State of New York and ESDC defts in opposition Re: [1811-1] motion for an order, pursuant to 42 USC sec 1988, awarding to their counsel reasonable attorney's fees in the sum of \$62,190 and reasonably incurred litigation costs in the sum of \$1,263.55 and requiring the defendants to pay said fees within 20 days of said order (cd) (Entered: 02/01/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 02/01/2000 | 1814 | AFFIDAVIT of Raymond P. Fitzpatrick, Jr., by City of Yonkers in opposition Re: [1811-1] motion for an order, pursuant to 42 USC sec 1988, awarding to their counsel reasonable attorney's fees in the sum of \$62,190 and reasonably incurred litigation costs in the sum of \$1,263.55 and requiring the defendants to pay said fees within 20 days of said order. (sac) (Entered: 02/03/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 02/02/2000 | 1815 | NOTICE OF APPEAL by City of Yonkers ; from [1812-1] order the 3rd Supplemental Long Term Plan Order, dated 12/29/99, is amended by adding at the start of paragraph 5 the following sentence: this paragraph 5 relates solely to the existing housing program and in no way alters the requirements for occupancy of new construction., [1812-2] relief, [1809-1] order the subdivision and site plan for construction of 34 mixed income housing units (attached in pairs) on the Grassy Sprain site with the above-stated variances is approved, [1809-2] relief . Copies of notice of appeal mailed to Attorney(s) of Record: Michael H. Sussman, Esq., Stephen M. Jacoby, Esq. and Diane L. Houk, Esq. \$105.00 Appeal filing fee paid 2/3/00 on receipt # E 365593. (dt) (Entered: 02/04/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 02/02/2000 | 1816 | NOTICE OF APPEAL by Plaintiff-Interveners, Yonkers Branch, NAACP ; from [1802-1] order that on 9/9/99, the Court held a hearing regarding the interpretation and implementation of the Court's prior housing remedy orders; the Court held a hearing addressing the status of compliance with the SSLTPO. The Court also received written submissions from the parties. The Court the parties to examine matters further in meetings with the Housing Monitor. Pursuant to the Court's Order dated 6/1/99, the parties made additional written submissions on or about 6/21/99. After reviewing recommendations made by the Housing Monitor, dated 7/28/99, and reviewing further written comments submitted by the parties in July and August 1999, as well as considering the parties' oral argument made during the hearing on 9/9/99, the Court directs that the following actions take place to further the implementation of the remedy orders in this case. To the extent inconsistent with prior orders of the Court, the following provision shall govern under the terms set forth in this Third Supplemental Long Term Plan Order, [1802-2] relief . Copies of notice of appeal mailed to Attorney(s) of Record: Raymond Fitzpatrick, Esq., William M. Mooney, III, Stephen M. Jacoby, Esq. and Diane L. Houk, Esq. \$105.00 Appeal filing fee paid 2/3/00 on receipt # E 365594. (dt) (Entered: 02/04/2000) |

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| 02/04/2000 |      | Notice of appeal and certified copy of docket to USCA: [1815-1] appeal by City of Yonkers ; Copy of notice of appeal sent to District Judge. (dt) (Entered: 02/04/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 02/04/2000 |      | Notice of appeal and certified copy of docket to USCA: [1816-1] appeal ; Copy of notice of appeal sent to District Judge. (dt) (Entered: 02/04/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 02/07/2000 | 1818 | REPLY AFFIDAVIT of Michael H. Sussman by Yonkers Branch-Nat'l in reply to objections raised by the State of New York and the City of Yonkers to intervenors' pending fee application. (jp) (Entered: 02/09/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 02/09/2000 | 1817 | SECOND AMENDMENT TO THIRD SUPPLEMENTAL LONG TERM PLAN ORDER , the Third Supplemental Long Term Plan Order, dated 12/22/99, as amended 1/24/00 is further amended as follows: A. Paragraph 1 is deleted and the following is substituted therefor: 1. Construction shall commence on the Hoover Road and Grassy Sprain sites prior to 4/1/00 and on the Yonkers Avenue site prior to 6/1/00. B. Paragraph 2(a) and (b) are deleted and the following is substituted therefor: a. the total number of units may be increased from 64 to 65 units which may include 1 apartment for a building superintendent; b. the rent for 3 units shall be set at 30% of 20% of the Westchester County median income and the rent for four (4) units shall be set at 30% of 30% of the Westchester County median income and these 7 units shall be rented to households with incomes below 40% of Westchester median income ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) Modified on 02/09/2000 (Entered: 02/09/2000) |
| 02/09/2000 | 1819 | MEMORANDUM and ORDER, that as modified in the NAACP's reply affidavit, the fee request is for 202.15 hours. The Court grants the application for \$60,675 in fees, and \$1,263.55 in expenses to be divided equally between the City and the State and to be paid by the city within 20 days and by the State within 60 days of this Order . ( signed by Judge Leonard B. Sand ); Copies mailed. (ri) (Entered: 02/10/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 02/09/2000 |      | Memo endorsed on motion, Doc. #1811 by plaintiff, awarding their counsel reasonable attorney's fees; Motion granted in part and denied in part . ( signed by Judge Leonard B. Sand ); Copies mailed. (sn) Modified on 02/15/2000 (Entered: 02/10/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 02/24/2000 | 1820 | ORDER; the Court approves the proposed affirmative marketing plan submitted by the City referred to in paragraph 1 of this Order subject to the following condition: Actual construction of the first 20 2-family units of Yonkers Green (phase I) is not to commence until such time as the Court certifies in writing that construction has commenced and is underway with respect to the Hoover Road, Grassy Sprain and Yonkers Ave. sites referred to in the TSLP . The Court may waive this condition if, but only if, after hearing from all parties and the Yonkers Green sponsor the Court is satisfied that some totally unexpected circumstance has delayed the construction on no more than 1 of the 3 sites referred to in the preceding paragraph, it being the intent of the Court and the parties that such waiver will not be granted lightly and would require a showing of truly extraordinary circumstances . ( signed by Judge Leonard B. Sand ); Copies mailed. (sn) (Entered: 02/28/2000)     |
| 02/28/2000 | 1821 | Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals. (dt) (Entered: 02/28/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 02/29/2000 |      | USCA Case Number Re: USCA NUMBER: (dt) (Entered: 02/29/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 02/29/2000 | 1822 | Memo-Endorsement on letter addressed to Judge Sand from Joseph M. Pastore, dated 2/26/00; Mr. Pastore writes to request that the date by which the Monitor's confirmation of EIP expenditures report to the Court be rescheduled to 4/3/00. Extension granted as requested . ( signed by Judge Leonard B. Sand ); Copies mailed. (jp) (Entered: 02/29/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 03/07/2000 | 1823 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of 1/21/00. (jp) (Entered: 03/07/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/09/2000 | 1824 | NOTICE OF APPEAL by the State and Urban Development Corporation (currently known as the Empire State Development Corporation (ESDC) Defendants ; from [0-0] motion endorsed Motion granted in part and denied in part, [1819-1] order that as modified in the NAACP's reply affidavit, the fee request is for 202.15 hours. The Court grants the application for \$60,675 in fees, and \$1,263.55 in expenses to be divided equally between the City and the State and to be paid by the city within 20                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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|            |      | days and by the State within 60 days of this Order, [1819-2] relief . Copies of notice of appeal mailed to Attorney(s) of Record: Michael H. Sussman, Esq., Raymond Fitzpatrick, Jr., Esq., Lawrence W. THomas, Esq, Lisa Evans, Esq. and Diane Houk, Esq. \$105.00 Appeal filing fee paid 3/9/00 on receipt # E 368993. (dt) Modified on 03/13/2000 (Entered: 03/13/2000)                                                                                                                                                                                                                       |
| 03/13/2000 |      | Notice of appeal and certified copy of docket to USCA: [1824-1] appeal ; Copy of notice of appeal sent to District Judge. (dt) (Entered: 03/13/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/22/2000 | 1825 | NAACP's MEMORANDUM of Law on Remand from Court of Appeals on Issue of Vestiges and their Remedy. (djc) (Entered: 03/23/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 03/23/2000 | 1826 | Memo-Endorsement on letter addressed to Judge Sand from Lawrence W. Thomas, dated 3/20/00. granting defendants request for an extension for the submission of proposed findings on 4/25, response on 7/6, and final submission by the parties on 7/14 . ( signed by Judge Leonard B. Sand ); Copies mailed. (pl) (Entered: 03/24/2000)                                                                                                                                                                                                                                                           |
| 03/23/2000 | 1828 | NOTICE OF MOTION by City of Yonkers for an order authorizing and directing the Clerk to accept for filing and docketing the documents listed in paragraph 1 herein . No return date indicated. (sn) (Entered: 03/24/2000)                                                                                                                                                                                                                                                                                                                                                                        |
| 03/24/2000 | 1827 | Memo endorsed on Letter, dated 3/22/00; Re: the Board & City respectfully request that the Court assign Dr. Pastore to monitor and facilitate such discussions. Although the Court is fully supportive of efforts to achieve a consensual resolution of this case, it believes that utilizing the Court Monitor as a "facilitator" would not serve that goal. Dr. Pastore will, of course, continue to serve as a liaison to the Court and to fulfill the roles assigned to him by previous orders of the Court. ( signed by Judge Leonard B. Sand ); Copies mailed. (sac) (Entered: 03/24/2000) |
| 03/27/2000 | 1829 | STIPULATION and ORDER, designating the record on appeal, as set forth in List A attached to this Stipulation and Order ( signed by Judge Leonard B. Sand ) (cd) (Entered: 03/27/2000)                                                                                                                                                                                                                                                                                                                                                                                                            |
| 03/29/2000 | 1830 | Fld copy of The City of Yonkers Affordable Housing; Year One - Annual Report (2-24-98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 03/29/2000 | 1831 | Fld copy of Memo Endorsed on motion, doc #1689 (2/26/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/29/2000 | 1832 | Fld copy of Housing Action Council report re: a closing (12/2/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 03/29/2000 | 1833 | Fld copy of NAAC objection to a closing (12/3/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 03/29/2000 | 1834 | Fld copy of Fitzpatrick response to Sussman objection (12/3/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 03/29/2000 | 1835 | Fld copy of Fitzpatrick to Judge Sand letter re: existing housing program (12/4/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 03/29/2000 | 1836 | Fld copy of letter of Sussman to Judge Sand re: race consciousness in existing housing program (12/4/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/29/2000 | 1837 | Fld copy of letter from Fitzpatrick to Judge Sand re: race consciousness in existing housing program (12/4/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 03/29/2000 | 1838 | Fld copy of 11/98 Monitoring Report with attachments (12/11/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 03/29/2000 | 1839 | Fld copy of letter from Sussman to Fitzpatrick re: existing housing issues (12/16/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 03/29/2000 | 1840 | Fld copy of letter from Houk to Fitzpatrick re: existing housing issues (12/22/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/29/2000 | 1841 | Fld copy of letter from Sussman to Fitzpatrick re: 12/16/98 proposals (1/4/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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| 03/29/2000 | 1842 | Fld copy of letter from Sussman to Fitzpatrick re: specific closings (1/5/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                           |
| 03/29/2000 | 1843 | Fld copy of memo from Fitzpatrick to Sussman re: defending specific closings (1/5/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                   |
| 03/29/2000 | 1844 | Fld copy of letter from Sussman to Fitzpatrick re: specific closings segregative effect (1/6/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                        |
| 03/29/2000 | 1845 | Fld copy of letter from Sussman to Lazarus re: segregative moves (1/8/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                               |
| 03/29/2000 | 1846 | Fld copy of SSLTPO Monitoring report by City (1/19/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                  |
| 03/29/2000 | 1847 | Fld copy of Year 2 Existing Housing chart (1/19/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                     |
| 03/29/2000 | 1848 | Fld copy of Housing Action Council material re: a closing 2/5/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                       |
| 03/29/2000 | 1849 | Fld copy of copy of Housing ACtion Council material re: a closing (2/5/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                              |
| 03/29/2000 | 1850 | Fld copy of memo from Sussman to Melkonian re: a closing (2/11/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                      |
| 03/29/2000 | 1851 | Fld copy of Fitzpatrick note re: a closing (2/11/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                    |
| 03/29/2000 | 1852 | Fld copy of Housing Action Council material re: two closings (2/22/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                  |
| 03/29/2000 | 1853 | Fld copy of memo from Sussman to Melkonian re: Objection to two closings (2/22/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                      |
| 03/29/2000 | 1854 | Fld copy of letter to Judge Sand from Fitzpatrick addressing several issues arising out of monitoring process (2/22/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000) |
| 03/29/2000 | 1855 | Fld copy of transcript of record of proceedings dated 2/24/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                          |
| 03/29/2000 | 1856 | Fld copy of memo from Sussman to melkonian re: Reiteration of objection to two closings (2/26/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                       |
| 03/29/2000 | 1857 | Fld copy of Housing Action Council material re: a closing (4/2/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                      |
| 03/29/2000 | 1858 | Fld copy of Sussman objection to a closing (4/5/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                     |
| 03/29/2000 | 1859 | Fld copy of letter to Judge Sand from Mr. Fitzpatrick summarizing matters before conference call (4/14/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)              |
| 03/29/2000 | 1860 | Fld copy of SSLTPO Monitoring report fro 3/99 (4/22/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                 |
| 03/29/2000 | 1861 | Fld copy of letter from Houk to Melkonian re: exisiting housing programs (5/4/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                       |
| 03/29/2000 | 1862 | Fld copy of SSLTPO report for 4/99 (5/25/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                            |
| 03/29/2000 | 1863 | Fld copy of Updated Chart re: year 2 by Lazarus to parties (5/27/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                    |
| 03/29/2000 | 1864 | Fld copy of memo from Fitzpatrick to Court and parties with updated construcion schedules (6/9/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                      |
| 03/29/2000 | 1865 | Fld copy of letter to Judge Sand from Mr. Sussman concerning existing housing issues (6/22/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                          |

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| 03/29/2000 | 1866 | Fld copy of letter to Judge Sand from Dept of Justice concerning existing housing issues (6/21/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                  |
| 03/29/2000 | 1867 | Fld copy of memo from Mr. Fitzpatrick to Court and all aprties enclisng proposed rental and outreach program outlines (6/22/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)     |
| 03/29/2000 | 1868 | Fld copy of letter to Judge Sand from Dept of Justice commenting on City of Yonkers proposed outreach program, etc (7/1/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)         |
| 03/29/2000 | 1869 | Fld copy of letter to Judge Sand from Mr. Sussman commenting on City of Yonkers propsoed outreach program (7/2/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                  |
| 03/29/2000 | 1870 | Fld copy of letter to Judge Sand from Mr.Fitzpatrick commenting on DOJ and NAACP comments concerning outreach program (7/2/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)      |
| 03/29/2000 | 1871 | Fld copy of Memo from Melkonian to Judge Sand and parties with recommendations (8pp) (7/26/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                      |
| 03/29/2000 | 1872 | Fld copy of Memo to Judge Sand from Marilyn Melkonian concerning several issues and proposals to existing housing program (7/28/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000) |
| 03/29/2000 | 1873 | Fld copy of letter to Judge Sand from Michael Sussman commenting on Housing Monitor's recommendations (7/30/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                     |
| 03/29/2000 | 1874 | Fld copy of letter to Judge Sand from Dept of Justice commenting on Housing Monitor;s recommendation (8/4/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                       |
| 03/29/2000 | 1875 | Fld copy of Memo to parties from Laura O. Lazarus re: Judge Sand's Tentative Conclussions and Confirmation of Meeting (8/11/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)     |
| 03/29/2000 | 1876 | Fld copy of SSLTPO report from YAH office – to Judge Sand and otherparties (8/13/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                |
| 03/29/2000 | 1877 | Fld copy of letter from Judge Sand from Michael Sussman concerning outstanding housing issues(8/18/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                              |
| 03/29/2000 | 1878 | Fld copy of Housing Action Council material re: a move (8/19/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                    |
| 03/29/2000 | 1879 | Fld copy of memo from Sussman to Melkonian re: a move (8/19/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                     |
| 03/29/2000 | 1880 | Fld copy of memo from Fitzpatrick to Melkonian re: a move (8/20/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                 |
| 03/29/2000 | 1881 | Fld copy of a letter to Judge Sand from Mr. Fitzpatrick concerning tentative findings (8/20/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                     |
| 03/29/2000 | 1882 | Fld copy of a letter to Judge Sand from Mr. Sussman concerning City's 8/20/99 letter (8/20/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                      |
| 03/29/2000 | 1883 | Fld copy of letter from Mr. Houk to Mr. Fitzpatrick re: racial/ethnic census map (8/30/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                          |
| 03/29/2000 | 1884 | Fld copy of August SSLTPO report to YAH0 (9/17/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                  |
| 03/29/2000 | 1885 | Fld copy of Memo to parties from Laura Lazarus confirming meeting (9/20/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                         |
| 03/29/2000 | 1886 | Fld copy of existing housing status report by Lazarus (9/21/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                     |

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|------------|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03/29/2000 | 1887 | Fld copy of New construction schedules (revised) (9/21/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                |
| 03/29/2000 | 1888 | Fld copy of letter to Judge Sand from Stephen Jacoby commenting on proposed amendment of housing remedial order (9/27/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000) |
| 03/29/2000 | 1889 | Fld copy of YAHA report for September (10/22/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                          |
| 03/29/2000 | 1890 | Fld copy of Memo to Judge/YAHO Report for 10/99 and parties from Greg Arcaro submitting progress report (11/12/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)        |
| 03/29/2000 | 1891 | Fld copy of letter to Judge Sand from Mr. Fitzpatrick submitting additional comments on housing issues (11/18/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)         |
| 03/29/2000 | 1892 | Fld copy of letter to Judge Sand from Mr. Susman submitting additional comments on housing issue (11/21/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)               |
| 03/29/2000 | 1893 | Fld copy of letter to Judge Sand from Mr. Fitzpatrick concerning Yonkers Avenue project (12/1/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                         |
| 03/29/2000 | 1894 | Fld copy of letter to Judge Sand from Mr. Fitzpatrick commenting on Mr. Sussman's letter of 12/2/99 (12/7/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)             |
| 03/29/2000 | 1895 | Fld copy of YAHQ report for 11/99 (12/7/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                               |
| 03/29/2000 | 1896 | Fld copy letter from Mr. Sussman to M. Melkonian and parties re: Third SSLTPO (12/20/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                  |
| 03/29/2000 | 1897 | Fld copy of letter to Judge Sand from Diane Houk draft order (12/21/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                   |
| 03/29/2000 | 1898 | Fld copy of letter to Judge Sand from Mayor Spencer (12/28/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                            |
| 03/29/2000 | 1899 | Fld copy of Yaho Report for 12/99 (1/18/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                               |
| 03/29/2000 | 1900 | Fld copy of letter to Judge Sand from Michael Sussman concerning race-conscious aspects of order (1/19/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                |
| 03/29/2000 | 1901 | Fld copy of Martinez memo to court and parties re: Year 2 credits (1/119/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                              |
| 03/29/2000 | 1902 | Fld copy of Year 3 crdit chart (1/19/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                  |
| 03/29/2000 | 1903 | Fld copy of letter to Judge Sand from Dept of Justice concerning paragraph 5 of Third SLTPO (1/20/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                     |
| 03/29/2000 | 1904 | Fld copy of letter to Judge Sand from Mr. Fitzpatrick commenting on Sussman and DOJ's previous letters (1/21/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)          |
| 03/29/2000 | 1905 | Fld copy of transcript of record of proceedings (dated 1/21/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                           |
| 03/29/2000 | 1906 | Fld copy of Conference Call (3/23/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                     |
| 03/29/2000 | 1907 | Fld copy of Minutes of Housing Monitoring Meetings (12/5/96)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                               |
| 03/29/2000 | 1908 | Fld copy of Minutes of Housing Monitoring Minutes (3/13/97) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                               |
| 03/29/2000 | 1909 | Fld copy of Minutes of Housing Monitoring Meetins (4/16/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                               |

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| 03/29/2000 | 1910 | Fld copy of Minutes of Housing Monitoring Meetings (5/22/97)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1911 | Fld copy of Minutes of Housing Monitoring Meetings (6/18/00)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1912 | Fld copy of Minutes of Housing Monitoring Meetings (9/8/97) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1913 | Fld copy of Minutes of Housing Monitoring Meetings (10/8/97)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1914 | Fld copy of Minutes of Housing Monitoring Meetings (11/5/97)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1915 | Fld copy of Minutes of Housing Monitoring Meetings (1/22/98)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1916 | Fld copy of Minutes of Housing Monitoring Meetings (2/26/98)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1917 | Fld copy of Minutes of Housing Monitoring Meetings (4/8/98) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1918 | Fld copy of Minutes of Housing Monitoring Meetings (7/15/98)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1919 | Fld copy of Minutes of Housing Monitoring Meetings (10/2/98)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1920 | Fld copy of Minutes of Housing Monitoring Meetings (1/21/00)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1921 | Fld copy of Minutes of Housing Monitoring Meetings (2/24/99)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1922 | Fld copy of Minutes of Housing Monitoring Meetings (5/6/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1923 | Fld copy of Minutes of Housing Monitoring Meetings (6/11/99)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1924 | Fld copy of Minutes of Housing Monitoring Meetings (7/14/00)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1925 | Fld Minutes of Housing Monitoring Meetings (8/16/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                          |
| 03/29/2000 | 1926 | Fld copy of Minutes of Housing Monitoring Meetings (9/21/99)(cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                   |
| 03/29/2000 | 1927 | Fld copy of Minutes of Housing Monitoring Meetings (11/15/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                 |
| 03/29/2000 | 1928 | Fld copy of Housing Monitoring Meetings (12/8/99) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                             |
| 03/29/2000 | 1929 | Fld copy of Housing Monitoring Minutes (1/19/00) (cd) Modified on 04/04/2000 (Entered: 03/30/2000)                                                                                                                                                                                                                                                                                                                                              |
| 03/30/2000 |      | Memo endorsed on deft City of Yonkers' motion (doc. #1828), for an order authorizing and directing the Clerk to accept for filing and docketing of the documents, which were presented to this Court at or about the time they were dated, but which were not docketed at the time of their presentation to the Court; Resolved as per stipulation dtd. 3/27/00 ; ( signed by Judge Leonard B. Sand ); copies mailed (ls) (Entered: 03/30/2000) |
| 03/31/2000 | 1930 | Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals: [1824-1] appeal. (dt) (Entered: 03/31/2000)                                                                                                                                                                                                                                                                                                   |

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| 04/03/2000 | 1931 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of 3/23/00 (cd) (Entered: 04/04/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 04/05/2000 | 1932 | Transcript of record of telephone conference before Judge Leonard B. Sand for the date(s) of 2/8/00 @3:00pm. (lam) (Entered: 04/06/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 04/11/2000 | 1933 | AFFIDAVIT of Christina Leonard in support of State defts' response and objections to the Education Monitor's 4/3/00 Advisory Opinion. (sac) (Entered: 04/12/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 04/11/2000 | 1934 | State Defendants' Response and Objections to Monitor's April 3, 2000 Advisory Opinion; (dj) (Entered: 04/12/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 04/13/2000 | 1935 | ORDER/MEMORANDUM; we adopt and approve the recommendations contained in the Monitor's Advisory Opinion: Confirmation of 1998-99 EIP Expenditures and Apportionment Burden; we note the State's objection; the State did not seek a stay of EIP II until after the Court of Appeals decision and one may not resort to hindsight to determine if pre-stay appropriations were proper; the State's concerns that the Monitor's report will be the basis for future appropriations, i.e. subsequent to the stay issued by the Court of Appeals on 8/5/99, is ill founded; submit order ; ( signed by Judge Leonard B. Sand ); copies mailed (ls) (Entered: 04/13/2000)                                                                                                                                                                                                                                                                                    |
| 04/13/2000 | 1936 | Monotir's Advisory Opinion: Confirmation of 1998-99 EIP Expenditures and Apportionment Burden (ls) (Entered: 04/14/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 04/14/2000 | 1937 | ORDER; the subdivision and site plan for construction of 65 housing units on the Yonkers Avenue site with the variances indicated herein is approved . ( signed by Judge Leonard B. Sand ); Copies mailed. (sn) (Entered: 04/17/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 04/18/2000 | 1938 | ORDER and JUDGMENT #00,0913; that the State defts pay to the City of Yonkers on or before 5/1/00 the sum of \$44,306,368, which sum represents the State's unpaid share of projected EIP expenditures for 1999-2000 of \$45,814,321 less a credit due to the State for the 1998-1999 year in the amount of \$1,507,953. ( signed by Judge Leonard B. Sand ); Mailed copies. Entered On Docket: 4/19/00. (jp) Modified on 04/19/2000 (Entered: 04/19/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 04/25/2000 | 1939 | MEMORANDUM of LAW by City of Yonkers re: on Remand from Court of Appeals on Issue of Vestiges and their Remedy. (dj) (Entered: 04/26/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 04/25/2000 | 1940 | City of Yonkers Proposed FINDINGS OF FACT Relating to Vestiges of Prior De Jure Segregation in the Yonkers Public Schools (unsigned) (dj) (Entered: 04/26/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 05/02/2000 | 1941 | STATE DEFENDANTS' PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW ON REMAND PURS TO THE 11/16/99 ORDER (cd) (Entered: 05/03/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 05/02/2000 | 1942 | MEMORANDUM on remand purs to the 11/16/99 by State of New York (cd) (Entered: 05/03/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 05/08/2000 | 1943 | ORDER; the NAACP has asked that it be given until 5/31/00 to make an additional filing, a request motivated in part by the decision made by the Board of Education not to file its already-prepared, proposed findings of fact and conclusions of law. Permission to make that additional filing is granted. The City and the State are granted until 7/21/00 to respond, if they so wish. ( signed by Judge Leonard B. Sand ); Copies mailed. (sac) (Entered: 05/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 05/17/2000 | 1944 | NOTICE OF APPEAL by the added Defendants The State of NEw York, et al ; from [1938-1] judgment order, [1935-1] order we adopt and approve the recommendations contained in the Monitor's Advisory Opinion: Confirmation of 1998-99 EIP Expenditures and Apportionment Burden; we note the State's objection; the State did not seek a stay of EIP II until after the Court of Appeals decision and one may not resort to hindsight to determine if pre-stay appropriations were proper; the State's concerns that the Monitor's report will be the basis for future appropriations, i.e. subsequent to the stay issued by the Court of Appeals on 8/5/99, is ill founded; submit order . Copies of notice of appeal mailed to Attorney(s) of Record: Michael H. Sussman, Esq., Raymond Fitzpatrick, Jr., Esq., Lawrence W. Thomas, Esq. and Lisa Evans, Esq. \$105.00 Appeal filing fee paid 5/17/00 on receipt # E 374068. (dt) (Entered: 05/17/2000) |

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| 05/17/2000 |      | Notice of appeal and certified copy of docket to USCA: [1944-1] appeal ; Copy of notice of appeal sent to District Judge. (dt) (Entered: 05/17/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 05/31/2000 | 1945 | NAACP's Reply Submission on Vestiges filed. (jp) (Entered: 06/02/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 06/07/2000 | 1946 | Stipulation of Contents of Record on Appeal. (sac) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 06/07/2000 | 1947 | Transcript of Monitor's Hearing (March 19-20, 1998). (sac) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 06/07/2000 | 1948 | Transcript of Monitor's Hearing (April 9, 1998). (sac) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 06/07/2000 | 1949 | Transcript of Monitor's Hearing (July 14-17, 1997). (sac) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 06/07/2000 | 1950 | Transcript of Monitor's Hearing (July 17, 1997). (sac) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 06/07/2000 | 1951 | Response to the Court Monitor's Advisory Opinion (Revised 12/21/98). (sac) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 06/07/2000 | 1952 | Yonkers Board of Education's Brief To The Court Monitor on Issues of Funding Allocation and Capital Facilities for EIP II. (sac) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 06/07/2000 | 1953 | State's Post-Hearing Memorandum on Funding of EIP II Remedy and Related Capital Projects. (sac) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 06/07/2000 | 1954 | Brief on Behalf of Pltff-Intervenors (sac) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 07/05/2000 | 1955 | ORDER; the subdivision and site plan for construction of 20 housing units on the Hoover Road site with the variances described in Exhibit A is approved . ( signed by Judge Leonard B. Sand ); Copies mailed. (sn) (Entered: 07/06/2000)                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 07/20/2000 | 1957 | True Copy of Order from the USCA RE: Counsel for the State defendants hereby agrees to submit copies of eachof the documents, along with this stipulation, to the Clerk's Office for the USDC/SDNY to be duly filed and docketed. Exhibits received at the Monitor's hearings shall be retained by counsel and will be made available upon request by the Court .98-6190,98-6199,99-6074,99-6128,99-6132, Roseann B. Mackechnie, Clerk (sl) (Entered: 07/26/2000)                                                                                                                                                                                                  |
| 07/21/2000 | 1956 | REPLY MEMORANDUM by State of New York re: [1800-1] Order of the Court of Appeals (cd) (Entered: 07/24/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 07/21/2000 | 1958 | REPLY MEMORANDUM by City of Yonkers on issues remanded pursuant to the 11/16/99 order of the second circuit court of appeals. (kw) (Entered: 07/26/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 08/04/2000 | 1959 | True Copy of Order from the USCA RE: Counsel for all parties to the above-referenced appeals hereby stipulate and agree that Appeal number 00-6158 should be consolidated with the five previously consolidated appeals 98-6190L, 98-6199,99-6074,99-6128, and 99-6132, subject to any further order of the court. In view of the fact that the joint appendix and briefs for the previously consolidated appeals have already been filed with the Court, the parties will file supplemental briefs and a supplemental joint appendix in accordance with the current scheduling order for Appeal 00-6158. Roseann B. Mackechnie, Clerk. (sl) (Entered: 08/04/2000) |
| 08/09/2000 |      | USCA Case Number Re: [1944-1] appeal USCA NUMBER: 00-6158. (dt) (Entered: 08/09/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 08/21/2000 | 1960 | ORDER; this Court will withhold its response to the Court of Appeals remand pending submission to it of a proposed settlement agreement. If at any time any party shall be of the opinion that progress toward achieving a settlement is not being made at a satisfactory pace or that settlement efforts are at an impasse, this Court shall be promptly advised of such circumstances. ( signed by Judge Leonard B. Sand ); Copies mailed. (sac) (Entered: 08/22/2000)                                                                                                                                                                                           |
| 09/12/2000 | 1961 | ORDER; that portion of St. James Terrace that is within the Yonkers Avenue housing site is removed from the official City map ; The City of Yonkers is directed to amend the official map of the City to effectuate this order ; (signed by Judge Leonard B. Sand); Copies mailed. (dj) Modified on 09/14/2000 (Entered: 09/13/2000)                                                                                                                                                                                                                                                                                                                               |
| 10/10/2000 |      | USCA Case Number Re: [1944-1] appeal USCA NUMBER: 00-6078. (dt) (Entered: 10/10/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| 11/02/2000 | 1962 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of 9/8/00. (lf) (Entered: 11/02/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/09/2000 | 1963 | MANDATE OF USCA (certified copy) Re: Dismiss [1944-1] appeal. 00-6158, Roseann B. Mackechnie, Clerk. (sl) (Entered: 11/14/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/16/2000 | 1964 | ORDER, with respect to transportation of certain public and non-public school students: transportation will be provided as follows: to those Yonkers Public School students who reside in excess of 1.5 miles from the school facility which they attend; to private and parochial school students who live in Yonkers and who travel in excess of 1.5 miles to their school within the City of Yonkers; upon request, to those students who attend one of the eight elementary schools previously designated as district magnet schools and who received transportation to that school during 1999-2000 school year notwithstanding the fact that they reside less than 1.5 miles from the school, as further set forth in this document ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 11/17/2000)                                                                                                                                                                            |
| 11/21/2000 | 1965 | True Copy of Order from the USCA RE: the parties to withdraw [1944-1] appeal without cost and without prejudice to the State defendants' ability to raise any and all issues or arguments in any appeal from future order awarding attorneys' fees in this case 00-6078, Roseann B. Mackechnie, Clerk. (sl) (Entered: 11/22/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11/30/2000 | 1966 | OPINION #84865, the Court finds that, as of 1997, vestiges of segregation existed in the Yonkers public schools. We therefore refer the matter to the Court-appointed School Monitor to report and recommend, after appropriate proceedings, as to a suitable remedy ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 12/01/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11/30/2000 | 1967 | Letter filed addressed to Judge Sand from Michael H. Sussman, dated 11/29/00, re: settlement discussions. (cd) (Entered: 12/04/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 11/30/2000 | 1968 | Report of City of Yonkers regarding status of New Housing Construction. (dj) (Entered: 12/04/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 12/01/2000 |      | Hearing held before Judge Sand on the issue of the status of the housing remedy. (jp) (Entered: 12/05/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/05/2000 | 1969 | ORDER, by 2/5/01, the County of Westchester has not approved allocation of the sum of \$510,000 for this project, the City of Yonkers shall promptly allocate to the developer, Vanderbilt/Edmunds, funds in that amount. Simultaneously with the closing of a construction loan, the City of Yonkers shall transfer title to the East Grassy Sprain site to the developer. This Order shall not preclude the City of Yonkers from initiating any legal action it may deem appropriate in an effort to insure that the developer receives infrastructure funding directly from the County of Westchester, provided the City proceeds in a timely manner. It is further provided that the initiation and/or pendency of such action by the City, if any, shall not relieve the City of the responsibility of furnishing these funds to the developer if the County has not done so by 2/5/01 . ( signed by Judge Leonard B. Sand ); Copies mailed. (kw) Modified on 12/07/2000 (Entered: 12/06/2000) |
| 12/06/2000 | 1970 | Appeal reinstated. by United States of Ame, Yonkers Board of Edu [1944-1] appeal USCA NUMBER: 00-6158 (sl) (Entered: 12/06/2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 12/29/2000 | 1971 | ORDER; that for the reasons set forth on this Order, Yonkers Public Schools is to implement the magnet program additions and revisions described in appendix A to this Order effective as of the commencement of the 2000-2001 school year . ( signed by Judge Leonard B. Sand ); Copies mailed. (jp) (Entered: 01/02/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/29/2000 | 1972 | Letter filed addressed to Judge Sand from Lawrence W. Thomas, dated 12/21/00. (jp) (Entered: 01/02/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 12/29/2000 | 1973 | Letter filed addressed to Larry W. Thomas from Stephen M. Jacoby, dated 12/19/00. (jp) (Entered: 01/02/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 01/24/2001 | 1974 | fld Report of City of Yonkers Regarding Existing Housing Rental Program (cd) (Entered: 01/26/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| 01/29/2001 | 1975 | AFFIDAVIT of Theodora M. Bennett goals and purpose of Enhanced Section 8 Outreach Program. (sn) (Entered: 01/31/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 02/07/2001 | 1976 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of 12/1/00. (kkc) (Entered: 02/07/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 02/07/2001 | 1977 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of 12/1/00. (db) (Entered: 02/07/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 02/07/2001 | 1978 | Memo-Endorsement on letter addressed to Judge Sand from Joseph M. Pastore, Jr., dated 02/01/01; Re: counsel to State defendants requests an extension of the time specified by the Court's July 27, 1998 "EIP Funding Order" for them to reveiw and respond to the Yonkers Board of Education identification of EIP I expenditures for 1999-2000; Schedule revised as requested ; ( signed by Judge Leonard B. Sand ); Copies mailed. (djc) (Entered: 02/16/2001)                                                                                                                                                                                                                                                                                                                                                            |
| 03/09/2001 | 1979 | MANDATE OF USCA (certified copy) Re: Affirm judgment of the District Court [1970-1] appeal by Yonkers Board of Edu, United States of Ame. 00-6022, Roseann B. Mackechnie, Clerk. (sl) (Entered: 03/09/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 03/23/2001 | 1980 | ORDER, modifying the Court's prior Order as follows: Construction may commence of the first phase of Yonkers Green at such time as the three following conditions have met: (1) the intergovernmental agreement with respect to Hoover Road shall have been executed; (2) the closing shall taken place with respect to Grassy Sprain (expected prior to April 30), and the City shall have made available such funds as are necessary for infrastructure improvements by the time of such closing; and (3) the Court shall have been advised by the developer of Yonkers Green, or any party hereto, that conditions (1) and (2) have been fully satisfied and shall have authorized the start of construction on Phase I of Yonkers Green . ( signed by Judge Leonard B. Sand ); Copies mailed. (kg) (Entered: 03/26/2001) |
| 04/27/2001 | 1981 | NOTICE of attorney appearance for United States of America by Emily H. McCarthy. (kkc) (Entered: 04/30/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 04/30/2001 | 1982 | NOTICE OF MOTION by U.S.A, Yonkers Branch-Nat'l for an order, purs. to 42 U.S.C. sec. 1988, awarding to their counsel reasonable attorney's fees and litigation costs in the sum of \$113,678.34 in this matter and requiring the defts to pay said fees within 20 days of said order ; Return date 5/17/01. (sac) (Entered: 05/02/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 04/30/2001 | 1983 | AFFIRMATION of Michael H. Sussman by United States of Ame, Yonkers Branch-Nat'l in support of [1982-1] motion for an order, purs. to 42 U.S.C. sec. 1988, awarding to their counsel reasonable attorney's fees and litigation costs in the sum of \$113,678.34 in this matter and requiring the defts to pay said fees within 20 days of said order. (sac) (Entered: 05/02/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 05/10/2001 | 1984 | INTERIM ORDER, State defendants shall pay to the City of Yonkers by 5/15/01 the sum of \$29 millions and that the Monitor shall advise the Court not later than 6/1/01 of his recommendation and opinion as to a final amount to be paid for such period . ( signed by Judge Leonard B. Sand ); Copies mailed. (kw) (Entered: 05/14/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 05/31/2001 | 1985 | Memo-Endorsement on letter addressed to Judge Sand from Joseph M. Pastore, Jr., dated 5/30/01; granting on consent, the Monitor's request that the Court postpone the date by which the Monitor's final report is due until 6/30/01 . ( signed by Judge Leonard B. Sand ); Copies mailed. (sn) (Entered: 06/04/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 06/01/2001 | 1986 | DECLARATION of Stephen M. Jacoby by State and ESDC defendants in opposition to: [1982-1] motion for an order, purs. to 42 U.S.C. sec. 1988, awarding to their counsel reasonable attorney's fees and litigation costs in the sum of \$113,678.34 in this matter and requiring the defts to pay said fees within 20 days of said order. (kkc) (Entered: 06/05/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 06/05/2001 | 1987 | RESPONSE by City of Yonkers to [1982-1] motion for an order, purs. to 42 U.S.C. sec. 1988, awarding to their counsel reasonable attorney's fees and litigation costs in the sum of \$113,678.34 in this matter and requiring the defts to pay said fees within 20 days of said order. (kw) (Entered: 06/08/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 06/11/2001 | 1988 | MEMORANDUM; that plaintiffs-intervenors Yonkers NAACP has made an application for fees and costs incurred between 1/18/00 and 4/26/01. The City and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|            |      | State raises objections which are addressed within; we have reviewed all of the State's remaining objection and find them to be without merit; Movant should submit a revised Order consistent with the foregoing . ( signed by Judge Leonard B. Sand ); Copies mailed. (pl) (Entered: 06/13/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 06/19/2001 | 1989 | RESPONSE and OBJECTIONS by City of Yonkers, City of Yonkers, Yonkers Comm. Develo, Yonkers Board of Edu., to monitor's June 12, 2001 advisory opinion. (tp) (Entered: 06/20/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 06/20/2001 | 1990 | ORDER; the Court defers resolution of the application for attys' fees, to the extent it is for hours claimed by its counsel during the time period related to school "vestiges" without prejudice to renewal, if such claims is not rendered moot before 9/11/01, thereafter, at which time, plttf-intervenors may also, if they deem it appropriate, seek additional recovery for the economic consequences of delayed payment; at such time plttf intervenors may also seek recovery for sums sought in its proposed order submitted on 6/18/01, and not included in this counter order. The Court, having considered the remainder of the application, resolves all other disputed issues as follows: (1) within 30 days, the City of Yonkers shall pay to counsel for plttf-intervenors, Michael H. Sussman, Esq., the sum of \$44,962.30; (2) within 60 days, the N.Y.S. defts shall pay to said counsel for plttf-intervenors the sum of \$30,302.30; (3) after 6/11/01, the hourly rate for Michael H. Sussman, Esq., lead counsel for the NAACP, shall be \$325.00; and (4) and the Court, having considered the remaining objections advanced by the State defts, rejects them. ( signed by Judge Leonard B. Sand ); Copies mailed. (sac) (Entered: 06/22/2001) |
| 06/22/2001 | 1991 | ORDER, the Court hereby remands to the Court Monitor, Dr. Joseph M. Pastore, Jr., the matters raised in his 6/12/01 Advisory Opinion for such further proceedings, if any, as he deems appropriate in light of the State defts' 6/19/01 "Response and Objections" . ( signed by Judge Leonard B. Sand ); Copies mailed. (kg) (Entered: 06/25/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 06/25/2001 | 1992 | Letter filed addressed to Judge Sand from Stephen M. Jacoby, dated 06/19/01; re: State defendants' submission of counterproposed order. (dj) (Entered: 06/27/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 06/25/2001 | 1993 | fld Montior's Confirmation of the 1999-2000 Educational Improvement Plan (EIP) Expenditures apportioned between the City of Yonkers and the State of NY (cd) (Entered: 06/28/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 07/03/2001 | 1994 | State Defts Response to the Monitor's 6/26/01 Addendum to Advisory Opinion of 6/12/01. (jp) (Entered: 07/06/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 07/06/2001 | 1995 | MEMORANDUM and ORDER; that for the reasons set forth in this Order, the Monitor's Advisory Opinion Addendum Upon Remand is adopted and approved . ( signed by Judge Leonard B. Sand ); Copies mailed. (kkc) (Entered: 07/09/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 07/06/2001 | 1996 | Monitor's Advisory Opinion Addendum, Upon Remand, to Monitor's Confirmation of the 1999-2000 Educational Improvement Plan (EIP) Expenditures Apportioned Between the City of Yonkers and the State of NY. (dj) (Entered: 07/10/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 07/11/2001 | 1997 | MANDATE OF USCA (certified copy) Re: [1944-1] appeal, [1778-1] appeal by State of New York, [1777-1] appeal by State of New York, [1763-1] appeal, [1732-1] cross appeal by Yonkers Board of Edu, City of Yonkers, [1700-1] appeal by Urban Development Co. It is now hereby ordered, adjudged and decreed that the orders of said district court are affirmed in part and dismissed in part in accordance with the opinion of this Court. Costs to appellees. Issued as Mandate: 7/9/01, 98-6190(L), 98-6199(XAP), 99-6074(CON), 99-6128(CON), 99-6132(CON), 00-6158(CON) Roseann B. MacKechnie, Clerk, U.S.C.A. (sb) (Entered: 07/11/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 07/12/2001 | 1998 | ORDER; the State of N.Y. shall pay to the City of Yonkers the amount of \$8,504,142 on or before 7/18/01. ( signed by Judge Leonard B. Sand ); Copies mailed. (sac) (Entered: 07/13/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/01/2001 | 1999 | Memo-Endorsement on letter addressed to Judge Sand from Lawrence W. Thomas, dated 7/25/01. Re: The Yonkers Board of Education writes that no further Order of revision of Court's 7/12/01 order is required. In light of the agreement set forth in this letter, no further revision of the order is necessary . ( signed by Judge Leonard B. Sand ); Copies mailed. (kw) (Entered: 08/02/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| 08/02/2001 | 2000 | Letter filed addressed to Judge Sand from Stephen M. Jacoby, dated 07/31/01, re: notifying Court that they are in receipt of Mr. Thomas' July 25, 2001 letter to the Court regarding State defendants' request for an amendment to correct undisputedly erroneous information inadvertently in the Court's July 12, 2001 State payment order; and State defendants persist in their request. (djc) (Entered: 08/08/2001)                                                                                                                                                                                                                                                                                                                                                            |
| 10/01/2001 |      | Record on appeal files (00-6022(L), 99-6128, 99-6074 & 98-6190) returned from U.S. Court of Appeals. (dt) (Entered: 10/04/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 12/13/2001 | 2001 | ORDER; that the developer may proceed with Phase I of the Yonkers Green development, and may not proceed with the remaining phase of the development until further order by the Court; the approved Yonkers Green Affirmative Marketing Plan shall be implemented immediately with respect to the marketing of the planned units in Phase I . ( signed by Judge Leonard B. Sand ); Copies mailed. (pl) (Entered: 12/17/2001)                                                                                                                                                                                                                                                                                                                                                        |
| 12/19/2001 |      | Pretrial Conference held before Judge Leonard B. Sand . (yv) (Entered: 12/27/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 01/14/2002 | 2002 | ORDER; the Court has been advised that many of the issues which were to be addressed at the conference scheduled for 1/15/02 have been satisfactorily resolved and that one unresolved issue relating to heating and ventilation requires further study by the designated architects. It appearing, therefore, that no worthwhile purpose would be served by the conference scheduled for 1/16/02, it is cancelled. The Court remains of the view that all issues relating to Cross Street should be expeditiously resolved and will carefully monitor these issues and schedule a conference if and when it is determined that a useful purpose will be served by doing so . ( signed by Judge Leonard B. Sand ); Copies mailed. (pl) Modified on 01/22/2002 (Entered: 01/17/2002) |
| 02/07/2002 | 2003 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of 12/13/01. (df) (Entered: 02/07/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 02/08/2002 | 2004 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of 12/19/01. (tr) (Entered: 02/08/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 02/19/2002 | 2005 | NOTICE OF JOINT MOTION; for an Order pursuant to Rule 23 of the F.R.C.P. to give preliminary approval to the settlement agreement sufficient to permit review as a settlement of a class action, including a fairness hearing in compliance with Rule 23 following appropriate notice to plaintiff-intervenor class . Return date not indicated. Supporting affs./ decls. attached. (jco) (Entered: 02/20/2002)                                                                                                                                                                                                                                                                                                                                                                     |
| 02/20/2002 | 2006 | STIPULATION OF DISMISSAL AND ORDER; the Third-Party Complaint/Cross Claim of the City of Yonkers against the Comptroller are dismissed. ( signed by Judge Leonard B. Sand ) (kg) (Entered: 02/21/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 02/20/2002 |      | Memo endorsed on motion; granting [2005-1] joint motion for an Order pursuant to Rule 23 of the F.R.C.P. to give preliminary approval to the settlement agreement sufficient to permit review as a settlement of a class action, including a fairness hearing in compliance with Rule 23 following appropriate notice to plaintiff-intervenor class. Preliminary approval granted. Motion approved. SO ORDERED ( signed by Judge Leonard B. Sand ); Copies mailed. (jco) (Entered: 02/21/2002)                                                                                                                                                                                                                                                                                      |
| 02/20/2002 | 2007 | Letter filed on behalf of the parties to the education portion of this action addressed to Judge Sand from Stephen M. Jacoby, dated 2/19/02, re: notice of joint motion for approval of the settlement of the education portion of the action. (db) (Entered: 02/21/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/20/2002 |      | Telephone Conference held before Judge Leonard B. Sand. (sn) (Entered: 03/26/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 03/26/2002 | 2008 | AFFIRMATION of Katherine A. Levine Re: to set forth the TFT's response and comments to the Proposed Settlement Agreement dated 1/31/02. (jco) (Entered: 03/28/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 03/26/2002 |      | Class action settlement & fairness Hearing held on 3/26/02 as to all education aspects if this action. (jco) (Entered: 03/29/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| 03/26/2002 | 2010 | MEMORANDUM OF LAW by City of Yonkers in support of [2005-1] joint motion for an Order pursuant to Rule 23 of the F.R.C.P. to give preliminary approval to the settlement agreement sufficient to permit review as a settlement of a class action, including a fairness hearing in compliance with Rule 23 following appropriate notice to plaintiff-intervenor class . (db) (Entered: 04/01/2002)                                                                                                                                            |
| 03/27/2002 | 2009 | ORDER, the Court, having been advised by the Attorney General of the State of NY that the legislation referred to in the Agreement of Settlement, dated 1/31/02, is now in full force and effect, finds that any and all prerequisites have been satisfied, and said Agreement and the Court's Order placed on the record in the proceedings held on 3/26/02, are effective as of this date ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 04/01/2002)                                                                   |
| 03/29/2002 | 2011 | AFFIDAVIT of Lawrence W. Thomas by Yonkers Board of Edu Re: Publication of notice of settlement and settlement agreement. (yv) (Entered: 04/02/2002)                                                                                                                                                                                                                                                                                                                                                                                         |
| 04/03/2002 | 2012 | Letter filed by U.S. Department of H, State of New York addressed to Judge Sand from Stephen M. Jacoby, dated 4/1/02, re: corrections to the agreement. (bai) (Entered: 04/05/2002)                                                                                                                                                                                                                                                                                                                                                          |
| 04/10/2002 | 2013 | JUDGMENT; that final judgment, within the meaning of Rule 54(b) of the F.R.C.P., is hereby entered dismissing, as to all parties, all education claims whatsoever (whether denominated claims, cross-claims, third-party claims, or otherwise) in this action with prejudice, as of the effective date of the agreement, March 27,2002. ( signed by Judge Leonard B. Sand ); Mailed copies and notice of right to appeal. Entered On Docket: 4/11/02. (pl) Modified on 04/19/2002 (Entered: 04/11/2002)                                      |
| 04/10/2002 | 2014 | ORDER, as of 3/27/02, the settlement agreement proposed by the parties is approved in all respect ; as of 3/27/02, all references to education are stricken from the complaint (including those set out more specifically in 3/26/02 Transcript at 120 line 18 through 121 line 20), as further set forth in this document; an entry in the docket that the District Court's 11/30/00 Decision and Order has been withdrawn as moot in light of the agreement ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 04/15/2002) |
| 04/29/2002 | 2015 | NOTICE OF MOTION by City of Yonkers for entry of an Order requiring the various entities responsible for development of the Cross Street affordable housing site to appear before this Court and show cause why they should not be assessed damages or sanctioned for their failure to comply with the Cross Street Land Disposition and Development Agreement and their consequential obstruction of compliance with this Court's housing remedy orders . Return Date not indicated. (yv) (Entered: 05/01/2002)                             |
| 04/30/2002 |      | PRETRIAL CONFERENCE held before Judge Leonard B. Sand . (yv) (Entered: 05/09/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 05/03/2002 | 2016 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of March 26, 2002. (jb) (Entered: 05/06/2002)                                                                                                                                                                                                                                                                                                                                                                                                               |
| 05/07/2002 | 2017 | Memorandum to Docket Clerk: PRETRIAL CONFERENCE held on April 30, 2002 before Judge Leonard B. Sand on housing issues. (yv) (Entered: 05/09/2002)                                                                                                                                                                                                                                                                                                                                                                                            |
| 05/09/2002 | 2018 | NOTICE OF MOTION by Yonkers Branch-Nat'l for an order pursuant to 42 U.S.C. 1988, awarding reasonable attorney's fees and litigation costs in the sum of \$25,719.97 in this matter and requiring defendants to pay said fees within thirty days of said order . Return Date 5/23/02 at 2:15. (db) (Entered: 05/13/2002)                                                                                                                                                                                                                     |
| 05/09/2002 | 2019 | AFFIDAVIT of Michael H. Sussman by Yonkers Branch-Nat'l in support of [2018-1] motion for an order pursuant to 42 U.S.C. 1988, awarding reasonable attorney's fees and litigation costs in the sum of \$25,719.97 in this matter and requiring defendants to pay said fees within thirty days of said order . (db) (Entered: 05/13/2002)                                                                                                                                                                                                     |
| 05/15/2002 | 2020 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of March 26, 2002. (jb) (Entered: 05/16/2002)                                                                                                                                                                                                                                                                                                                                                                                                               |
| 05/20/2002 | 2021 | RESPONSE of Empire State Development Corporation to motion for housing based attorney's fees. (db) (Entered: 05/22/2002)                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| 05/21/2002 | 2022 | RESPONSE by City of Yonkers to [1638-1] motion for attorney fees and costs in the sum of \$32,190.05 for Michael Sussman (yv) (Entered: 05/23/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 05/24/2002 | 2023 | ORDER, within 30 days, the City of Yonkers shall pay the sum of \$15,396.92 and within 45 days, the ESDC shall pay the sum of \$10,160.65 to the Law Offices of Michael H. Sussman, 25 Main St., Goshen, NY 10924 ( signed by Judge Leonard B. Sand ); Copies mailed. (cd) (Entered: 05/28/2002)                                                                                                                                                                                                                                                                                                                                                             |
| 05/28/2002 |      | Memo endorsed on motion; That as per order of 5/23/02, the Court is granting the [2018-1] motion for an order pursuant to 42 U.S.C. 1988, awarding reasonable attorney's fees and litigation costs in the sum of \$25,719.97 in this matter and requiring defendants to pay said fees within thirty days of said order. ( signed by Judge Leonard B. Sand ); Copies mailed. (tp) (Entered: 05/29/2002)                                                                                                                                                                                                                                                       |
| 05/28/2002 |      | Memo endorsed on motion doc. #1982; see order of 6/11/01 on disposition of this motion . ( signed by Judge Leonard B. Sand ); Copies mailed. (kw) (Entered: 05/30/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 06/05/2002 | 2024 | Memo-Endorsement on letter addressed to Ms. Marilyn from Raymond P. Fitzpatrick, dated 5/30/02. Return date reset to 10:00 6/13/02 for [2015-1] motion for entry of an Order requiring the various entities responsible for development of the Cross Street affordable housing site to appear before this Court and show cause why they should not be assessed damages or sanctioned for their failure to comply with the Cross Street Land Disposition and Development Agreement and their consequential obstruction of compliance with this Court's housing remedy orders . ( signed by Judge Leonard B. Sand ); Copies mailed. (kw) (Entered: 06/06/2002) |
| 06/11/2002 | 2025 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of 4/30/02. (tr) (Entered: 06/11/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 06/13/2002 |      | Memo endorsed on motion; withdrawing as moot: [2015-1] motion for entry of an Order requiring the various entities responsible for development of the Cross Street affordable housing site to appear before this Court and show cause why they should not be assessed damages or sanctioned for their failure to comply with the Cross Street Land Disposition and Development Agreement and their consequential obstruction of compliance with this Court's housing remedy orders . ( signed by Judge Leonard B. Sand ); Copies mailed. (jp) (Entered: 06/15/2002)                                                                                          |
| 09/03/2002 | 2026 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of June 20, 2002. (jw) (Entered: 09/03/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/10/2002 | 2027 | NOTICE OF MOTION by Yonkers Branch-Nat'l for an order for further relief as is set forth more fully in the referenced Memorandum of Law . Return Date 9/26/02 at 2:15. (dle) (Entered: 09/19/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 09/10/2002 | 2028 | MEMORANDUM OF LAW by Yonkers Branch-Nat'l in support of proposed order submitted by Yonkers Branch, NAACP. (dle) (Entered: 09/19/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 09/10/2002 | 2029 | AFFIDAVIT of Michael H. Sussman by Yonkers Branch-Nat'l in support of [2027-1] motion for an order for further relief as is set forth more fully in the referenced Memorandum of Law . (dle) (Entered: 09/19/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 09/10/2002 | 2030 | REPORT by City of Yonkers regarding compliance with the housing remedy order . (dle) (Entered: 09/19/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/17/2002 | 2031 | NOTICE OF MOTION by Yonkers Branch-Nat'l; for an order to compel selection of Chief Compliance Officer Janet Alvarez, Esq. w/ appropriate terms and conditions . Return Date 9/26/02 at 2:15. (ae) (Entered: 09/19/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 09/17/2002 | 2032 | AFFIDAVIT of Michael H. Sussan by Yonkers Branch-Nat'l in support of [2031-1] motion for an order to compel selection of Chief Compliance Officer Janet Alvarez, Esq. w/ appropriate terms and conditions. (ae) (Entered: 09/19/2002)                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 09/17/2002 | 2034 | AFFIDAVIT of Leonard Buddington by Yonkers Branch-Nat'l Re: [2031-1] motion for an order to compel selection of Chief Compliance Officer Janet Alvarez, Esq. w/ appropriate terms and conditions . (rag) (Entered: 10/25/2002)                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 09/23/2002 |      | Memo endorsed on motion doc. #2031; pursuant to telephone conference the Notice of Motion to Compel Selection of Chief Compliance Office dated 9/13/02, is held in                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|            |      | abeyance . ( signed by Judge Leonard B. Sand ); Copies mailed by Chambers. (kw) (Entered: 09/26/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/23/2002 |      | Memo endorsed on motion doc.#2027; Return date reset to 2:15 p.m. on 11/7/02 for [2027-1] motion for an order for further relief as is set forth more fully in the referenced Memorandum of Law . ( signed by Judge Leonard B. Sand ); Copies mailed by Chambers. (kw) Modified on 09/27/2002 (Entered: 09/26/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 10/11/2002 | 2033 | Letter filed by United States of Ame addressed to Judge Sand from Emily H. McCarthy, dated 10/10/02, re: efforts to re-engage the parties in the hiring process. (yv) (Entered: 10/21/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 10/25/2002 |      | Memo endorsed on motion; the [2031-1] motion to compel selection of a Chief Compliance Officer, dated 9/13/02, is denied for the reasons stated by the Court at the conference held on 10/3/02. ( signed by Judge Leonard B. Sand ); Copies Mailed by Chambers. (kkc) (Entered: 10/29/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 12/09/2002 |      | PRETRIAL CONFERENCE held on 12/9/02 before Judge Leonard B. Sand. (tp) (Entered: 01/02/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/27/2002 | 2035 | Memorandum to Docket Clerk: that a pretrial conference was held on 12/9/02 before Judge Sand . (tp) (Entered: 01/02/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 01/15/2003 | 2036 | City Submission of Proposal Regarding Housing Issues by City of Yonkers. (sb) (Entered: 01/17/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 01/15/2003 | 2037 | Memo-Endorsement on letter addressed to Judge Sand from Ming-Yuen Meyer Fong, dated 1/15/03. Re: counsel for plttf requests an enlargement of time until 1/17/03 to file a motion for relief to remedy the dft's failure to implement the Housing Remedy. Enlargement granted as requested . ( signed by Judge Leonard B. Sand ); Copies Mailed by Chambers. (db) (Entered: 01/21/2003)                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/17/2003 | 2038 | NOTICE OF MOTION by United States of Ame for an order, for relief to remedy deft's failure to implement housing remedy ; Return Date not indicated. (sac) (Entered: 01/23/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 01/17/2003 | 2040 | NOTICE OF MOTION by plaintiff-intervenors for an order, purs. to 42 USC sec. 1988, awarding reasonable attorney's fees and litigation costs in the sum of \$10,812.50 to Leonard Buddington, Jr., Esq. and \$17,675 to Michael Sussman, Esq. in this matter and requiring the defendants to pay said costs within 30 days of said order . Return Date 1/21/03 at 2:15. Affirmation of Leonard Buddington, Jr. and Affidavit of Michael Sussman attached. (sb) (Entered: 01/24/2003)                                                                                                                                                                                                                                                                                                                                  |
| 01/18/2003 | 2042 | Plaintiff-Intervenors' Supplemental NOTICE OF MOTION by Yonkers Branch-Nat'l for an order to remedy the defendant's failure to implement the Housing Remedy ; Return Date not indicated. (received in night dep. 01/18/03 at 1:19 a.m.) (djc) (Entered: 02/04/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 01/21/2003 | 2039 | ORDER, ESDC seeks to discharge its remaining obligations to the cost of monitoring compliance w/ the Court's orders; In full and final compliance w/ all remaining ESDC obligations under paragraphs 11 - 17 of the State Housing Order, including, but not limited to, any obligation for reimbursement for subsidies actually provided by the City in 2002, ESDC shall pay "the City of Yonders" the sum of \$5,865,555.26 w/in 5 business days after notice that this order has been signed; in full compliance w/ and liquidating any remaining ESDC obligations under paragraph 30 of the State Housing Order, ESDC shall pay to the City of Yonkers the sum of \$84,046.28 w/in 5 business days after notice that this order has been signed . ( signed by Judge Leonard B. Sand ); (ae) (Entered: 01/24/2003) |
| 01/28/2003 | 2041 | AFFIRMATION of Stephen M. Jacoby by State of New York in response to Re: [2040-1] motion for an order, purs. to 42 USC sec. 1988, awarding reasonable attorney's fees and litigation costs in the sum of \$10,812.50 to Leonard Buddington, Jr., Esq. and \$17,675 to Michael Sussman, Esq. in this matter and requiring the defendants to pay said costs within 30 days of said order. (kw) (Entered: 01/30/2003)                                                                                                                                                                                                                                                                                                                                                                                                   |
| 02/03/2003 | 2043 | REPLY AFFIRMATION of Leonard Buddington, Jr., Esq. by Yonkers Branch-Nat'l in further support of [2040-1] motion for an order, purs. to 42 USC sec. 1988, awarding reasonable attorney's fees and litigation costs in the sum of \$10,812.50 to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|            |      | Leonard Buddington, Jr., Esq. and \$17,675 to Michael Sussman, Esq. in this matter and requiring the defendants to pay said costs within 30 days of said order, [2042-1] motion for an order to remedy the defendant's failure to implement the Housing Remedy . (sb) (Entered: 02/06/2003)                                                                                                                                                                                                                                                                                                                                                                              |
| 02/03/2003 | 2044 | Letter filed by City of Yonkers addressed to Judge Sand from Raymond P. Fitzpatrick, Jr., dated 1/28/03, re: response to 1/6/03 fee application. (db) (Entered: 02/07/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 02/04/2003 | 2045 | ORDER, granting [2040-1] motion for an order, purs. to 42 USC sec. 1988, awarding reasonable attorney's fees and litigation costs in the sum of \$10,812.50 to Leonard Buddington, Jr., Esq. and \$17,675 to Michael Sussman, Esq. in this matter and requiring the defendants to pay said costs within 30 days of said order. ( signed by Judge Leonard B. Sand ); Copies mailed by Chamber to all parties on 2/4/03. (sac) (Entered: 02/11/2003)                                                                                                                                                                                                                       |
| 02/04/2003 |      | Memo endorsed on motion; granting as modified, [2040-1] motion for an order, purs. to 42 USC sec. 1988, awarding reasonable attorney's fees and litigation costs in the sum of \$10,812.50 to Leonard Buddington, Jr., Esq. and \$17,675 to Michael Sussman, Esq. in this matter and requiring the defendants to pay said costs within 30 days of said order. ( signed by Judge Leonard B. Sand ); (sac) (Entered: 02/11/2003)                                                                                                                                                                                                                                           |
| 03/26/2003 | 2046 | ORDER, the City of Yonkers is authorized and directed to have the selected developer, Hover Road Associates, LLC, construct all necessary infrastructure, roads and other improvements as provided for in the Land Development Agreement without further compliance with the bidding requirements or other provisions of state law requiring that such public projects be publicly bid . ( signed by Judge Leonard B. Sand ); Copies faxed by chambers. (kw) (Entered: 03/27/2003)                                                                                                                                                                                       |
| 04/15/2003 | 2047 | MANDATE OF USCA WITHDRAWING APPEAL (certified copy) Re: withdrawing [1777-1] appeal by State of New York. Stipulated and agreed between the parties that the appeal is withdrawn without costs and without prejudice to the State defendants' ability to raise any and all issues or arguments in any appeal from a future order awarding attorneys' fees in this case. MANDATE CERTIFIED 4/10/03, 00-6078. MACKECHNIE, CLERK, USCA. (pr) (Entered: 04/16/2003)                                                                                                                                                                                                          |
| 04/25/2003 | 2048 | RESPONSE by Yonkers Branch-Nat'l Re: defendant City of Yonkers' draft order of 3/17/03. (kw) (Entered: 04/30/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 04/25/2003 | 2049 | RESPONSE by United States of Ame Re: to defendant City of Yonkers' draft order of 3/17/03. (kw) (Entered: 04/30/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 04/25/2003 | 2050 | RESPONSE by City of Yonkers Re: to Plaintiffs' motion to amend Housing Remedy orders. (kw) (Entered: 04/30/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 04/30/2003 | 2051 | ORDER: for reasons set forth in said order, the Court directs the City of Yonkers to report to the Court within ten (10) days whether Westchester County is acting to promptly provide the infrastructure funds which have been sought for the Grassy Sprain Road Project. Absent the provision of the funds from the County, the burden will be upon the City of Yonkers to provide said funds. The City is also directed to report on the status of the request for a sewer easement across Country lands and any reasons the County has not provided such an accomodation . ( signed by Judge Leonard B. Sand ); Copies Faxed by Chambers. (db) (Entered: 05/02/2003) |
| 05/07/2003 | 2052 | MEMO ENDORSED; motion decided as set forth in oral opinion of 5/6/03. ( signed by Judge Leonard B. Sand ); Copies mailed by Chamber (sac) (Entered: 05/08/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 05/07/2003 | 2053 | MEMO ENDORSED; motion decided as set forth in oral opinion of 5/6/03. ( signed by Judge Leonard B. Sand ); Copies mailed by Chamber (sac) (Entered: 05/08/2003)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 05/21/2003 | 2054 | NOTICE OF MOTION by Yonkers NAACP for an order, purs. to 42 U.S.C. 1988, awarding to their counsel reasonable attys fees' and litigations costs in the sum of \$14,187.50. Return Date 6/3/03 at 9:30. Affirmation of Leonard Buddington, Jr. attached. (sac) (Entered: 05/23/2003)                                                                                                                                                                                                                                                                                                                                                                                      |
| 06/13/2003 | 2055 | ORDER; granting [2054-1] motion for an order, purs. to 42 U.S.C. 1988, awarding to their counsel reasonable attys fees' and litigations costs. Within 20 days, the City of Yonkers shall pay the sum of \$13,562.50 to Leonard Buddington, Jr., Esq., 30 South                                                                                                                                                                                                                                                                                                                                                                                                           |

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|            |      | Broadway, Yonkers, NY 10701. ( signed by Judge Leonard B. Sand ); Copies mailed by Chambers. (sb) (Entered: 06/16/2003)                                                                                                                                                                                                                                                                                                   |
| 07/02/2003 | 2056 | ORDER, fourth supplemental long term plan order . ( signed by Judge Leonard B. Sand ); Copies mailed by chambers. (kw) (Entered: 07/07/2003)                                                                                                                                                                                                                                                                              |
| 07/03/2003 | 2058 | Transcript of record of proceedings before Judge Leonard B. Sand for the date(s) of May 6, 2003. (dt) (Entered: 07/23/2003)                                                                                                                                                                                                                                                                                               |
| 07/08/2003 | 2057 | Memo-Endorsement on letter addressed to Judge Sand from Raymond P. Fitzpatrick, Jr., dated 7/1/03. Re: the City of Yonkers requests that the Court release the referenced lots from the freeze order on the sale of the City-owned real propoerty. Application granted. The referenced lot is released from the freeze order . ( signed by Judge Leonard B. Sand ); Copies mailed by Chambers. (db) (Entered: 07/09/2003) |
| 07/22/2003 | 2059 | ORDER, the Court hereby approves the City's request and orders that the bedroom requirements under the AHO, with respect to the River Club project, be waived in the manner requested by the proposed developer. The City is to receive full credit for affordable units produced as part of the River Club development ( signed by Judge Leonard B. Sand ); copies sent by Chambers (cd) (Entered: 07/24/2003)           |
| 12/08/2003 | 2063 | AFFIRMATION of Raymond P. Fitzpatrick, Jr. in Opposition re: 2060 MOTION for Attorney Fees. Document filed by City of Yonkers. (tp, ) (Entered: 12/23/2003)                                                                                                                                                                                                                                                               |
| 12/16/2003 | 2060 | MOTION awarding to Leonard Buddington Jr., Esq., the sum of \$14,350.00 in counsel fees. Document filed by Yonkers Branch-National Association for the Advancement of Colored People, et al. Affirmation of Leonard Buddington Jr. in support attached. Return Date set for 12/16/2003 09:30 AM before Judge Leonard B. Sand. (db, ) (Entered: 12/19/2003)                                                                |
| 12/16/2003 | 2061 | AFFIRMATION of Leonard Buddington Jr. in Further Support re: 2060 MOTION for Attorney Fees. Document filed by Yonkers Branch-National Association for the Advancement of Colored People, et al. (db, ) (Entered: 12/19/2003)                                                                                                                                                                                              |
| 12/16/2003 | 2062 | AFFIRMATION of Michael H. Sussman in response to city opposition to plaintiff-intervenors application for attorney fees. Document filed by Yonkers Branch-National Association for the Advancement of Colored People, et al. (db, ) (Entered: 12/19/2003)                                                                                                                                                                 |
| 01/13/2004 |      | ORDER on 2060 motion; granting 2060 Motion for Attorney Fees as amended. (Signed by Judge Leonard B. Sand on 1/13/04) Copies Mailed By Chambers. (sb, ) (Entered: 01/22/2004)                                                                                                                                                                                                                                             |
| 01/13/2004 | 2064 | Memorandum and Order: Leonard Buddington Jr. has made an application to be awarded attorneys' fees. The application is granted for attorneys fees in the amount of \$12, 850.00 ( \$14,350.00 less \$1,500.00)( 6 hours at \$250.00 per hour). (Signed by Judge Leonard B. Sand on 1/13/2004) (jsa, ) (Entered: 01/27/2004)                                                                                               |
| 05/25/2004 | 2065 | ORDER: the City of Yonkers shall take all steps necessary to appropriate and pay to the AHTF an additional \$3 million in City funds by 6/30/05. Said funds shall be expended only for HRO purposes absent further orders of the Court. (Signed by Judge Leonard B. Sand on 5/25/04) Copies Mailed By Chambers.(kw, ) (Entered: 05/27/2004)                                                                               |
| 06/07/2004 | 2066 | MOTION for an Order enforcing paragraph II(4)(A)(1) of the Settlement Agreement approved by this Court on 4/10/02. Document filed by United States of America. (tp, ) (Entered: 06/08/2004)                                                                                                                                                                                                                               |
| 06/07/2004 | 2067 | MEMORANDUM OF LAW in Support re: 2066 MOTION. Document filed by United States of America. (tp, ) (Entered: 06/08/2004)                                                                                                                                                                                                                                                                                                    |
| 08/03/2004 |      | MEMO-ENDORSEMENT; withdrawing 2066 Motion for enforcing paragraph re: 2066 MOTION. . (Signed by Judge Leonard B. Sand on 8/2/04) (pl, ) Modified on 8/10/2004 (pl, ). (Entered: 08/06/2004)                                                                                                                                                                                                                               |
| 09/30/2004 | 2068 | MOTION (1) requiring defendants to implement each and every recommendation made unanimously on 9/15/04 by the External Review Panel and (2) restoring \$25,000,000 to the budget of the Yonkers Board of Education so as to allow for the complete and timely implementation of all Attachment A prgrams, as modified by the                                                                                              |

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|            |      | unanimous report of the External Review Panel and advocated by plaintiff-intervenors, or, in the alternative, for a prompt evidentiary hearing to ascertain the impact of the referenced cuts on the efficacious implementation of Attachment A programs and other programs critical to the education opportunities of Yonkers' public school students. Document filed by United States of America, Yonkers Branch-National Association for the Advancement of Colored People, et al. Return Date set for 10/15/2004 02:15 PM. (ae, ) (Entered: 10/08/2004)                                                                                                                                                                                                                                                                                                                    |
| 09/30/2004 | 2069 | MEMORANDUM OF LAW in Support re: 2068 MOTION requiring defendants to implement each and every recommendation made unanimously on 9/16/04 by the External Review Panel and restoring \$25,000,000 to the budget of the Yonkers Board of Education so as to allow for the complete and timely implementation of all Attachment A programs, as modified by the unanimous report of the External Review Panel and advocated by plaintiff-intervenors, or, in the alternative, for a prompt evidentiary hearing to ascertain the impact of the referenced cuts on the efficacious implementation of Attachment A programs and other programs critical to the education opportunities of Yonkers' public school students. Document filed by United States of America, Yonkers Branch-National Association for the Advancement of Colored People, et al. (ae, ) (Entered: 10/08/2004) |
| 10/08/2004 | 2070 | NOTICE OF MOTION for an order enforcing para. II(4)(D)(7) of the settlement Agreement approved by this court on 4/10/02. Document filed by United States of America. (pa, ) (Entered: 10/14/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 10/08/2004 | 2071 | MEMORANDUM OF LAW in Support re: 2070 MOTION for an order enforcing para. II(4)(D)(7) of the settlement Agreement approved by this court on 4/10/02.. Document filed by United States of America. (pa, ) (Entered: 10/14/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 10/14/2004 | 2072 | DECLARATION of Stephen M. Jacoby in Response re: 2068 MOTION requiring defendants to implement each and every recommendation made unanimously on 9/16/04 by the External Review Panel and restoring \$25,000,000 to the budget of the Yonkers Board of Education so as to allow for the complete and timely im, 2070 MOTION for an order enforcing para. II(4)(D)(7) of the settlement Agreement approved by this court on 4/10/02.. (ps, ) (Entered: 10/19/2004)                                                                                                                                                                                                                                                                                                                                                                                                              |
| 10/19/2004 | 2073 | CITY OF YONKERS OPPOSITION TO MOTIONS OF NAACP AND UNITED STATES TO ENFORCE 2002 EDUCATION for Settlement Agreement. Document filed by City of Yonkers. (jmi, ) (Entered: 10/22/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 10/22/2004 | 2074 | RESPONSE to Motion re: 2070 MOTION for an order enforcing para. II(4)(D)(7) of the settlement Agreement approved by this court on 4/10/02. Document filed by Yonkers Board of Education. (moc, ) (Entered: 10/26/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10/25/2004 |      | Minute Entry for proceedings held before Judge Leonard B. Sand : Telephone Conference held on 10/25/2004. (cd, ) (Entered: 11/09/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10/26/2004 | 2075 | REPLY in Support re: 2070 MOTION for an order enforcing para. II(4)(D)(7) of the settlement Agreement approved by this court on 4/10/02.. Document filed by United States of America. (jp, ) (Entered: 10/27/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 10/26/2004 | 2076 | ORDER: the motions for judicial relief purs. to the settlement agreements filed by The NAACP and the Department of Justice are withdrawn without prejudice subject to the conditions further set forth on this Order. . (Signed by Judge Leonard B. Sand on 10/26/2004) (jp, ) (Entered: 10/28/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10/28/2004 |      | MEMO ENDORSEMENT on re: 2070 MOTION for an order enforcing para. II(4)(D)(7) of the settlement Agreement approved by this court on 4/10/02. filed by United States of America. Withdrawn per order this date. So Ordered. (Signed by Judge Leonard B. Sand on 10/26/04) "Copies Mailed By Chambers"(jco, ) (Entered: 10/28/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 10/28/2004 |      | ORDER withdrawing 2068 Motion . Withdrawn per Order this date. So Ordered. (Signed by Judge Leonard B. Sand on 10/26/04) "Copies Mailed By Chambers"(jco, ) (Entered: 10/28/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 10/28/2004 | 2077 | LETTER addressed to Judge Sand from Raymond Fitzpatrick dated 10/25/04: the City of Yonkers is prepared to consent to the motions of the NAACP to be withdrawn without prejudice. Document filed by City of Yonkers.(cd, ) (Entered: 11/04/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| 10/28/2004 | 2078 | LETTER addressed to Judge Sand from Emily McCarthy dated 10/25/04: the US consents to the order proposed on 10/25/04. Document filed by United States of America.(cd, ) (Entered: 11/04/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 10/28/2004 | 2079 | LETTER addressed to Judge Sand from Stephen Jacoby dated 10/25/04: STate debt consent to the proposed 10/25/04 order. Document filed by State of New York.(cd, ) (Entered: 11/04/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11/29/2004 | 2080 | Reply Affirmation in Support of Naacp Motion for further relief. Document filed by Yonkers Branch–National Association for the Advancement of Colored People, et al. (dle, ) (Entered: 12/03/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/29/2004 | 2081 | Memorandum in support of NAACP motion for further relief. Document filed by Yonkers Branch–National Association for the Advancement of Colored People, et al. (dle, ) (Entered: 12/03/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 06/15/2005 | 2082 | ORDER The City of Yonkers shall take all steps necessary to appropriate and pay to the AHTF an additional \$1 million in City funds by 6/30/05. Said funds shall be expended only for HRO purposes absent further orders of the Court. So Ordered. (Signed by Judge Leonard B. Sand on 6/14/05) (jco, ) (Entered: 06/20/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 07/06/2005 | 2083 | TRANSCRIPT of proceedings held on 06/21/05 before Judge Leonard B. Sand. (es, ) (Entered: 07/06/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 08/15/2005 | 2084 | ORDER The City of Yonkers is authorized and directed to have the selected developer, The Development Team, Inc. construct all necessary infrastructure, roads and other improvement as provided for in the Land Development Agreement without further compliance with bidding requirements or other provisions of state law requiring that such public projects be publicly bid. (Signed by Judge Leonard B. Sand on 8/11/2005) (jmi, ) (Entered: 08/18/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 09/21/2005 | 2085 | SUPPLEMENTAL HOUSING SUBMISSION IN RESPONSE To City's Post Hoc Applications for Permission to Sell Two Large City Owned Parcels. Document filed by United States of America. (mde, ) (Entered: 09/26/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 09/21/2005 | 2086 | Submission of Defendant City of Yonders concerning current remedial efforts and compliance with the Court's orders. Document filed by City of Yonkers. (dcr, ) (Entered: 09/26/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/27/2005 | 2087 | REPLY to plaintiff–intervenor's 2085 Submission on Housing Matters. Document filed by City of Yonkers, City of Yonkers. (db, ) (Entered: 09/29/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/27/2005 | 2088 | REPLY to United States' Submission on Pending Housing Matters. Document filed by City of Yonkers, City of Yonkers. (db, ) (Entered: 09/29/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 03/08/2006 | 2089 | STIPULATION AND ORDER subject to the terms and provisions hereof, and specifically the distribution of Assisted Units and bedrooms provided herein, the proposed site development plan for Ridge Hill, including the plain for the provision of Assisted Units (a) is satisfactory to each of them, (b) is generally consistent with the Long Term Plan Order, as amended, c) consent that the same be approved by the Yonkers Planning Board in the exercise of its authority pursuant to Section 43–203(C) of the Yonkers Code, and (d) jointly request that to the extent any provision of the site development plan for Ridge Hill is not in strict compliance with the LTPO, the Court authorize the City of Yonkers and Yonkers Planning Board to approve such Plan. The conditions of this stipulation are as follows...So Ordered. (Signed by Judge Leonard B. Sand on 3/8/2006) (jmi, ) (Entered: 03/08/2006) |
| 04/27/2006 | 2090 | MOTION for Award of Reasonable Attorneys' Fees. Attached is Affirmation of counsel in Support of Motion...; Document filed by Yonkers Branch–National Association for the Advancement of Colored People, et al.(Plaintiff–Intervenors) (dj, ) (Entered: 04/28/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 05/17/2006 | 2091 | MEMO ENDORSEMENT on Courtesy Copy of Notice of Motion by plaintiff–Intervenors for Award of Reasonable Attorneys' Fees: ENDORSEMENT: Granted without objection. So Ordered. (Signed by Judge Leonard B. Sand on 5/16/2006) Copies Mailed By Chambers(lb, ) (Entered: 05/17/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| 06/23/2006 | 2092 | MEMO ENDORSEMENT/AGREEMENT that within 60 days, the City will issue a Request for Proposals seeking proposals from qualified developers to build affordable housing on the following City-owned istes as described in more detail in the 8/16/05 Report on City-owned Properties by Buckhurst Fish & Jacquemart, as further set forth in this document. (Signed by Judge Leonard B. Sand on 6/22/06) (cd, ) (Entered: 06/26/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 06/27/2006 | 2093 | ORDER; that based on the recent Memorandum of Agreement between the City and NAACP dated 6/26/06, the City's application is granted. (Signed by Judge Leonard B. Sand on 6/26/06) (pl, ) Modified on 6/27/2006 (pl, ). (Entered: 06/27/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 04/01/2007 | 2094 | SETTELMENT AGREEMENT Dated April 1, 2007 United States of America v. Yonkers Board of Education [Housing Portion].(jmi) (Entered: 04/10/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 04/09/2007 | 2095 | MEMO ENDORSEMENT on NOTICE OF PROPOSED SETTLEMENT AND PUBLIC HEARING; that on 5/1/07 @1:00 p.m. in Courtroom 15A, at the U.S. Courthouse, 500 Pearl Street, N.Y.C., Judge Sand will hold a hearing to determine wither to approve the proposed settlement as fair, reasonable, adequate, and appropriate. So Ordered. Approved. (Signed by Judge Leonard B. Sand on 4/9/07) (pl) (Entered: 04/11/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 04/30/2007 | 2096 | AFFIDAVIT of Raymond P. Fitzpatrick, Jr. in Support re: 2094 Stipulation – Unsigned. Document filed by City of Yonkers. (tro) (Entered: 05/01/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 05/01/2007 |      | Minute Entry for proceedings held before Judge Leonard B. Sand: Court approves the settlement on the Housing Issue – order signed.Settlement Hearing/Conference held on 5/1/2007. (dj) (Entered: 05/03/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 05/16/2007 | 2097 | MEMO ENDORSEMENT on Notice of Motion on behalf of plaintiff-intervenors for taxing of attorneys' fees and costs. So Ordered. (Signed by Judge Sidney H. Stein Part I on 5/15/07) (jco) (Entered: 05/16/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 06/11/2007 | 2098 | TRANSCRIPT of proceedings held on 5/1/2007 at 1:00 p.m. before Judge Leonard B. Sand. (aba) (Entered: 06/11/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 07/03/2007 | 2099 | TRANSCRIPT of proceedings held on 5/1/07 before Judge Leonard B. Sand. (jbe) (Entered: 07/03/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 07/03/2007 | 2100 | FINAL ORDER OF DISMISSAL; Based upon the recommendation of the parties and the Housing Monitor and the Court's independent review of the periodic reports of compliance efforts and the record in this case, the Court has found that the Agreement is due to be approved and the day has arrived when the Court may terminate this case and federal oversight of assited housing in Yonkers, subject only to the retention of limited ancillary jurisdiction for the purpose of enforcing the Agreement; The notice of Class Members of the Fairness Hearing satisfies the requirements of Rule 23, FRCP and due process, and the Court has jurisdiction over the Class; The Court will direct the Clerk of the Court to enter an order vacating all remaining orders issued in the action; The Court will dismiss as to all parties the housing action w/ prejudice, including all claims whatsoever in the housing action, and direct the entry of the judgment; The Court is retaining ancillary jurisdiction over the Agreement under Kokkonen principles only for the purpose of enforcing the terms of the Agreement; The Court further finds that remaining attorney's fee and cost issues between the City and plaintiff-intervenors have been settled and the City is currently processing its final payment to counsel for plaintiff-intervenors... The City is Directed to pay to Telesis Corporation the sum of \$80,981.56 as payment in full for all services of the Housing Monitor and its counsel, through and including the submission of her final report; Ordered, Adjudged and Decreed: The Agreement and all provisions thereof are approved and effective on the date of this order; all presently effective remedial or executory provisions of all previous decisions or orders in this case are vacated; All remaining claims or orders of the housing action are dismissed w/ prejudice, subject only to the Court's retention of ancillary jurisdiction over the Agreement solely to enforce its terms under the principles of Kokkonen v. Guardian Life, 511 U.S. 375 (1994).; The Clerk is directed to vacate all remaining orders entered in this action, dismiss the case w/ prejudice and enter final judgment. "Copies Mailed By Chambers" (Signed by Judge Leonard B. Sand on 7/3/07) (ae) (Entered: 07/05/2007) |

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| 07/05/2007 |             | Transmission to Judgments and Orders Clerk. Transmitted re: 2100 Order of Dismissal, to the Judgments and Orders Clerk. (ae) (Entered: 07/05/2007)                                                                                                                                                                                                                                                         |
| 07/09/2007 | 2101        | CLERK'S JUDGMENT The Clerk is directed to vacate all remaining orders entered in this action, dismiss the case w/ prejudice and enter final judgment. (Signed by J. Michael McMahon, Clerk on 7/6/07) (jf) (Entered: 07/09/2007)                                                                                                                                                                           |
| 07/12/2011 | <u>2102</u> | Letter addressed to Judge Leonard B. Sand from Marilyn Melkonian dated 7/12/2011 re: Marilyn Melkonian requests that the Court "So Order" this letter and the attached report of court monitor regarding performance under certain housing remedy orders and settlement agreement, and thereby make them part of the record in this case. Document filed by Telesis Corporation.(ae) (Entered: 07/12/2011) |
| 07/12/2011 | 2103        | STATEMENT AND REPORT OF COURT MONITOR regarding performance under certain housing remedy orders and settlement agreement. (ae) (Entered: 07/12/2011)                                                                                                                                                                                                                                                       |