

CLOSED

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:80-cv-01196-RWS**

Heyer v. New York Housing Authority et al
Assigned to: Judge Robert W. Sweet
Cause: 29:794 Rehabilitation Act of 1973

Date Filed: 02/29/1980
Date Terminated: 09/16/1982
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Michael Heyer
*individually and on behalf of all others
similarly situated*

represented by **Catherine Mitchell**
Community Action for Legal Services,
Inc.
Handicapped Persons Legal Support Unit
335 Broadway
New York, NY 10031
212-925-1000
TERMINATED: 01/11/1982
LEAD ATTORNEY

Howard G. Lane
Community Action for Legal Services,
Inc.
Handicapped Persons Legal Support Unit
335 Broadway
New York, NY 10031
212-925-1000
TERMINATED: 01/11/1982
LEAD ATTORNEY

John E. Kirklin
Legal Aid Society
11 Park Place
8th Floor
New York, NY 10007
(212) 227-2755
LEAD ATTORNEY

V.

Defendant

New York Housing Authority

represented by **Donald Scgatz**
250 Broadway
New York, NY 10007
(212)433-5045
LEAD ATTORNEY

Defendant

Joseph J. Christain
*individually and in his capacity as
Chairman of the New York City Housing
Authority*

represented by **Donald Scgatz**
(See above for address)
LEAD ATTORNEY

Date Filed	#	Docket Text
02/29/1980	<u>1</u>	SCANNED PAPER DOCKET REPORT containing docket entries entered on the Paper Docket for period of 02/29/1980 to 04/28/2006. The Last Document No. used on the Paper Docket is 54. (jeh,) (Entered: 05/09/2006)

02/29/1980	<u>1</u>	COMPLAINT against New York Housing Authority, Joseph J. Christain. Document filed by Michael Heyer.(jeh,) Modified on 5/9/2006 (jeh,). (Entered: 05/09/2006)
02/29/1980	<u>2</u>	(filed Es-aprte Order) ENDORSEMENT on Declaration in Support of Request to Proceed In Forma Pauperis, I.F.P. REQUEST IS GRANTED. (Signed by Judge Charles E. Stewart on 2/29/80) (jeh,) (Entered: 05/09/2006)
02/29/1980		SUMMONS ISSUED as to New York Housing Authority, Joseph J. Christain. (jeh,) (Entered: 05/09/2006)
04/10/1980	<u>4</u>	ANSWER to Complaint. Document filed by New York Housing Authority, Joseph J. Christain.(jeh,) Modified on 5/9/2006 (jeh,). (Entered: 05/09/2006)
04/02/1981	<u>15</u>	OPINION # 514222; Pltff's motion for class certification is granted. Pltff's motion to compel defts to answer interrogs is granted in part and denied in part. (Signed by Judge Robert W. Sweet on 4/2/81) (jeh,) Modified on 5/9/2006 (jeh,). (Entered: 05/09/2006)
05/28/1981	<u>19</u>	ORDER; that this matter is certified as a class action under rule 23 (b) (2). (Signed by Judge Robert W. Sweet on 05/28/81) (jeh,) Modified on 5/9/2006 (jeh,). (Entered: 05/09/2006)
01/11/1982	<u>26</u>	(Consent) ORDER; substituting attorney for pltf. Attorney John E. Kirklin for Michael Heyer added. Attorney Howard G. Lane and Catherine Mitchell terminated. (Signed by Judge Robert W. Sweet on 01/11/82) (jeh,) Modified on 5/9/2006 (jeh,). (Entered: 05/09/2006)
09/16/1982	<u>33</u>	STIPULATION AND ORDER of SETTLEMENT; It shall be the policy of the New York City Housing Authority to provide impaired handicapped or disabled individuals with assistance in finding accessible and other suitable housing units to the extent such housing is available as further indicated. (Signed by Judge Robert W. Sweet on 9/16/82) (jeh,) Modified on 5/9/2006 (jeh,). Modified on 5/9/2006 (jeh,). (Entered: 05/09/2006)
07/18/2005	<u>50</u>	STIPULATION AND ORDER OF SETTLEMENT; by and between the plaintiffs in the Heyer action and in the Bennett action and the Housing Authority. (Signed by Judge Robert W. Sweet on 07/18/2005) (jeh,) Modified on 5/9/2006 (jeh,). (Entered: 05/09/2006)
10/11/2005	<u>51</u>	ENDORSED LETTER addressed to Judge Robert W. Sweet from Jane Greengold Stevens dated 10/06/2005 re: Requesting the Court's approval of a Notice of Proposed Class Action Settlement. Notice is approved. It is suggested that the objections be filed on December 2 and the hearing scheduled for January 18. (Signed by Judge Robert W. Sweet on 10/11/05) (jeh,) (Entered: 05/09/2006)
11/18/2005	<u>52</u>	ENDORSED LETTER addressed to The Honorable Robert W. Sweet from Steven J. Rappaport dated 11/10/2005 re: that the court is granting the Mr. Rappaport's request for adjournment, to 2/23/2006 or later, the hearing on the fairness of the proposed settlement in entitled cases (80cv1196,02cv3499,05cv5286) and reset, to 1/23/06, the date by which comments of class members must be postmarked. (EOD 12/14/05) (Signed by Judge Robert W. Sweet on 11/15/2005) (jeh,) Modified on 5/10/2006 (jeh,). (Entered: 05/10/2006)
04/28/2006	<u>53</u>	OPINION AND ORDER # 93055; It appears to the Court, based on the Court's reading of the Settlement and hearing from members of the class, that pursuant to Federal Rules of Civil Procedure 23(e), the Settlement is fair, reasonable, adequate, ad in the best interest of the class. The Stipulation and Order of Settlement between the parties, attached hereto, and made a part hereof, is therefore approved. (EOD 5/5/06). (Signed by Judge Robert W. Sweet on 04/27/2006) (jeh,) Modified on 5/10/2006 (jeh,). Additional attachment(s) added on 5/17/2006 (jeh,). (Entered: 05/10/2006)
04/28/2006	<u>54</u>	STIPULATION AND ORDER of SETTLEMENT; (EOD 5/5/2006). (Signed by Judge Robert W. Sweet on 4/27/2006) (jeh,) (Entered: 05/10/2006)
04/20/2009	<u>55</u>	STIPULATION EXTENDING STIPULATION OF 2006: The Stipulation Period established in the 2006 Stipulation is hereby extended from April 27, 2009 to

		November 30, 2010, with all rights and obligations set forth in the 2006 Stipulation continuing in full throughout the period. SO ORDERED. (Signed by Judge Robert W. Sweet on 4/16/2009) (tve) (Entered: 04/23/2009)
10/12/2010	<u>56</u>	STIPULATION TO EXTEND STIPULATIONS OF 2006 & 2009. IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiffs in the Heyer action and in the Bennett action and the Housing Authority, that: The Stipulation Period established in the 2009 Stipulation is hereby extended from November 30, 2010 to March 31, 2011, with all rights and obligations set forth in the 2006 Stipulation, as extended by the 2009 Stipulation, continuing in full throughout the period. Electronic or faxed signatures on this Stipulation shall have the same force and effect as original signatures. Relates to 05-5286, 80-1196. (Signed by Judge Robert W. Sweet on 10/11/10) (rjm) (Entered: 10/12/2010)
05/02/2011	<u>57</u>	STIPULATION TO EXTEND STIPULATIONS OF 2006 & 2009, that the Stipulation Period established in the 2009 Stipulation is hereby extended from March 31, 2011 until June 30, 2011, with all rights and obligations set forth in the 2006 Stipulation, as extended by the 2009 Stipulation. continuing in full throughout the period. (Signed by Judge Robert W. Sweet on 4/29/11) (pl) (Entered: 05/02/2011)
06/24/2011	<u>58</u>	STIPULATION TO EXTEND STIPULATIONS OF 2006 & 2009: The Stipulation Period established in the 2009 Stipulation is hereby extended from June 30, 2011 to December 30, 2011, with all rights and obligations set forth in the 2006 Stipulation, as extended by the 2009 Stipulation, continuing in full throughout the period. (Signed by Judge Robert W. Sweet on 6/21/2011) (jar) (Entered: 06/24/2011)
12/28/2011	<u>59</u>	STIPULATION AND ORDER TO EXTEND STIPULATIONS OF 2006 & 2009: The Stipulation Period established in the 2009 Stipulation is hereby extended from 12/30/2011 until 1/31/2012, with all rights and obligations set forth in the 2006 Stipulation, as extended by the 2009 Stipulation, continuing in full throughout the period. (Signed by Judge Robert W. Sweet on 12/21/2011) (tro) (Entered: 12/28/2011)
02/01/2012	<u>60</u>	STIPULATION AND ORDER OF SETTLEMENT: The 2006 Stipulation and the 2009 Stipulation are hereby dissolved and extinguished; all rights, duties, and obligations of the parties created thereunder shall cease to exist; and this Stipulation and Order of Settlement (the "Stipulation") is substituted therefor. (Signed by Judge Robert W. Sweet on 1/31/2012) (ft) (Entered: 02/01/2012)