

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:12-cv-04129-GBD**

Occupy Wall Street et al v. The City of New York et al
Assigned to: Judge George B. Daniels
Referred to: Magistrate Judge Frank Maas (Settlement)
Related Case: 1:12-cv-05086-GBD
Cause: 42:1983 Civil Rights Act

Date Filed: 05/24/2012
Date Terminated: 04/09/2013
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Occupy Wall Street

*an unincorporated association by and
through Christine Crowther and Diego
Ibanez, as its de facto Treasurers*

represented by **Norman H Siegel**
Siegel Teitelbaum & Evans LLP
260 Madison Ave 22nd Floor
New York, NY 10016
212 455-0300
Fax: 212 448-0066
Email: siegelnorman@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Herbert Teitelbaum
Bryan Cave LLP (NY)
1290 Avenue of Americas
New York, NY 10104
(212) 541-2000
Fax: 212-541-1383
Email: hteitelbaum@stellp.com
ATTORNEY TO BE NOTICED

Plaintiff

Amanda Rose Henk

represented by **Norman H Siegel**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Herbert Teitelbaum
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Michele Lee Hardesty

represented by **Norman H Siegel**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Herbert Teitelbaum
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Frances Mercanti-Anthony

represented by **Norman H Siegel**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Herbert Teitelbaum
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Jamie Taylor

represented by **Norman H Siegel**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Herbert Teitelbaum
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Elizabeth Fagin

represented by **Norman H Siegel**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Herbert Teitelbaum
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

The City of New York

represented by **Sheryl Rebecca Neufeld**
NYC Law Department, Office of the
Corporation Counsel
100 Church Street
New York, NY 10007
(212) 356-2207
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicholas Robert Ciappetta
NYC Law Department, Office of the
Corporation Counsel (NYC)
100 Church Street
New York, NY 10007
(212)-356-2215
Fax: (212)-791-9714
Email: nciappet@law.nyc.gov
ATTORNEY TO BE NOTICED

Defendant

Michael Bloomberg
*in his official capacity as mayor of the
City Of New York*

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicholas Robert Ciappetta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Raymond Kelly
*in his official capacity as Police
Commissioner*

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicholas Robert Ciappetta

(See above for address)
ATTORNEY TO BE NOTICED

Defendant

John Doherty
*in his official capacity as Sanitation
Commissioner*

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicholas Robert Ciappetta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

John Doe
Individually

Defendant

John Doe
in his official capacities

Defendant

Richard Roe
Individually

Defendant

Richard Roe
in his official capacity

Defendant

**Other Presently Unidentified Officials,
Employees and/or Agents of The City
of New York**

ThirdParty Plaintiff

Occupy Wall Street
*an unincorporated association by and
through Christine Crowther and Diego
Libanez, as its de facto Treasurers*
TERMINATED: 06/25/2012

ThirdParty Plaintiff

Amanda Rose Henk
TERMINATED: 06/25/2012

ThirdParty Plaintiff

michele Lee Hardesty
TERMINATED: 06/25/2012

ThirdParty Plaintiff

Frances Mercanti–Anthony
TERMINATED: 06/25/2012

ThirdParty Plaintiff

Jamie Taylor
TERMINATED: 06/25/2012

ThirdParty Plaintiff

Elizabeth Fagin
TERMINATED: 06/25/2012

ThirdParty Plaintiff

The City of New York

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Michael Bloomberg

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Raymond Kelly
in his official capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Superintendent John Doherty
in his official capacity as Sanitation
Commissioner,

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

John Doe
in official capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

John Doe
in their individual capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Richard Roe
in their official capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Richard Roe
individual capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

ThirdParty Defendant

Brookfield Office Properties, Inc.

represented by **Douglas H. Flaum**
Fried, Frank, Harris, Shriver & Jacobson
One New York Plaza
New York, NY 10004
212-859-8259

Fax: 212-859-4000
Email: douglasflaum@paulhastings.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Raymond Kelly
in his official capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Richard Roe
in their official capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

John Doe
in their individual capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Superintendent John Doherty
*in his official capacity as Sanitation
Commissioner,*

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Richard Roe
individual capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

The City of New York

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

John Doe
in official capacity

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ThirdParty Plaintiff

Michael Bloomberg

represented by **Sheryl Rebecca Neufeld**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

ThirdParty Defendant

Brookfield Office Properties, Inc.

represented by **Douglas H. Flaum**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/24/2012	<u>1</u>	COMPLAINT against Michael Bloomberg, John Doherty, John Doe, John Doe, Raymond Kelly, Other Presently Unidentified Officials, Employees and/or Agents of The City of New York, Richard Roe(Individually), Richard Roe(in his official capacity), The City of New York. (Filing Fee \$ 350.00, Receipt Number 9184)Document filed by michele Lee Hardesty, Amanda Rose Henk, Occupy Wall Street, Elizabeth Fagin, Frances Mercanti–Anthony, Jamie Taylor.(ama) (Entered: 05/25/2012)
05/24/2012		SUMMONS ISSUED as to Michael Bloomberg, John Doherty, John Doe, John Doe, Raymond Kelly, Other Presently Unidentified Officials, Employees and/or Agents of The City of New York, Richard Roe(Individually), Richard Roe(in his official capacity), The City of New York. (ama) (Entered: 05/25/2012)
05/24/2012		Magistrate Judge Frank Maas is so designated. (ama) (Entered: 05/25/2012)
05/24/2012		Case Designated ECF. (ama) (Entered: 05/25/2012)
05/30/2012	<u>2</u>	AFFIDAVIT OF SERVICE. Michael Bloomberg served on 5/24/2012, answer due 6/14/2012; John Doherty served on 5/24/2012, answer due 6/14/2012; Raymond Kelly served on 5/24/2012, answer due 6/14/2012; The City of New York served on 5/24/2012, answer due 6/14/2012. Service was accepted by Dmitriy Aronov. Document filed by michele Lee Hardesty; Amanda Rose Henk; Occupy Wall Street; Elizabeth Fagin; Frances Mercanti–Anthony; Jamie Taylor. (Siegel, Norman) (Entered: 05/30/2012)
06/05/2012	<u>3</u>	INITIAL PRETRIAL CONFERENCE: Initial Conference set for 6/18/2012 at 09:30 AM in Courtroom 21D, 500 Pearl Street, New York, NY 10007 before Judge George B. Daniels and as further set forth in this order. (Signed by Judge George B. Daniels on 5/30/2012) (lmb) (Entered: 06/05/2012)
06/05/2012	<u>4</u>	NOTICE OF APPEARANCE by Sheryl Rebecca Neufeld on behalf of Michael Bloomberg, John Doherty, Raymond Kelly (Neufeld, Sheryl) (Entered: 06/05/2012)
06/06/2012	<u>5</u>	NOTICE OF APPEARANCE by Sheryl Rebecca Neufeld on behalf of Michael Bloomberg, John Doherty, Raymond Kelly, The City of New York (Neufeld, Sheryl) (Entered: 06/06/2012)
06/12/2012	<u>6</u>	ENDORSED LETTER: addressed to Judge George B. Daniels from Norman Siegel dated 6/5/2012 re: Counsel requests an adjournment of the initial pretrial conference in the above captioned case from June 18, 2012 to July 2 or 3, 2012. ENDORSEMENT: The conference is adjourned to July 3, 2012 at 9:30 a.m. So Ordered. (Signed by Judge George B. Daniels on 6/12/2012) (js) (Entered: 06/12/2012)
06/14/2012	<u>7</u>	ANSWER to <u>1</u> Complaint,. Document filed by Michael Bloomberg, John Doherty, Raymond Kelly, The City of New York.(Neufeld, Sheryl) (Entered: 06/14/2012)
06/25/2012	<u>9</u>	THIRD PARTY COMPLAINT against Brookfield Office Properties, Inc.Document filed by Raymond Kelly, Richard Roe(in their official capacity), John Doe, John Doherty, Richard Roe(individual capacity), The City of New York, John Doe, Michael Bloomberg.(laq) (Entered: 07/10/2012)
07/03/2012	<u>8</u>	CIVIL CASE MANAGEMENT PLAN AND SCHEDULING ORDER: 1. Additional parties may be joined and the pleadings may otherwise be amended as a matter of course on or before October 1, 2012, except that plaintiffs may as a matter of course substitute individuals for all or some of the John Does and Richard Roes on or before November 30, 2012. 2. No additional parties may be joined and the pleadings may not otherwise be amended as a matter of course after October 1, 2012 or November 30, 2012, as noted above. Nothing herein shall prohibit either party from filing any motion permitted pursuant to Rule 15, including a motion to amend a pleading and/or to add additional parties. Amended Pleadings due by 11/30/2012. Joinder of Parties due by 11/30/2012. Discovery due by 12/14/2012.

		Case Management Conference set for 9/10/2012 at 09:30 AM before Judge George B. Daniels. Final Pretrial Conference set for 3/18/2013 at 09:30 AM before Judge George B. Daniels. Pretrial Order due by 3/11/2013. Ready for Trial by 4/11/2013. (Signed by Judge George B. Daniels on 7/3/2012) (dj) (Entered: 07/03/2012)
07/03/2012		Minute Entry for proceedings held before Judge George B. Daniels: Interim Pretrial Conference held on 7/3/2012. Plaintiff Counsel, Defense Counsel and Court Reporter present. (Vega, Elizabeth) (Entered: 08/09/2012)
07/10/2012	<u>12</u>	ENDORSED LETTER addressed to Judge George B. Daniels from Douglas H. Flaum dated 7/9/2012 re: I am writing to respectfully request that the Court grant Brookfield an additional 30 days to file an answer or otherwise respond to the Third Party Complaint dated June 25, 2012, making such answer or response due by August 15, 2012. ENDORSEMENT: So ordered. (Signed by Judge George B. Daniels on 7/9/2012) (rjm) (Entered: 07/18/2012)
07/10/2012		Set/Reset Deadlines: Brookfield Office Properties, Inc. answer due 8/15/2012. (rjm) (Entered: 07/18/2012)
07/11/2012	<u>10</u>	AFFIDAVIT OF SERVICE of Summons and Third Party Complaint,. Brookfield Office Properties, Inc. served on 6/26/2012, answer due 7/17/2012. Service was accepted by Richard G. Leland, Esq.. Document filed by Raymond Kelly(in his official capacity); John Doherty(in his official capacity as Sanitation Commissioner.); The City of New York; Michael Bloomberg. (Neufeld, Sheryl) (Entered: 07/11/2012)
07/11/2012	<u>11</u>	NOTICE OF APPEARANCE by Douglas H. Flaum on behalf of Brookfield Office Properties, Inc. (Flaum, Douglas) (Entered: 07/11/2012)
08/08/2012	<u>13</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 7/3/2012 before Judge George B. Daniels. Court Reporter/Transcriber: Jennifer Thun, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/4/2012. Redacted Transcript Deadline set for 9/13/2012. Release of Transcript Restriction set for 11/13/2012.(McGuirk, Kelly) (Entered: 08/08/2012)
08/08/2012	<u>14</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 7/3/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 08/08/2012)
08/15/2012	<u>15</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Brookfield Asset Management Inc. for Brookfield Office Properties, Inc.. Document filed by Brookfield Office Properties, Inc..(Flaum, Douglas) (Entered: 08/15/2012)
08/15/2012	<u>16</u>	ANSWER to <u>9</u> Third Party Complaint,. Document filed by Brookfield Office Properties, Inc..(Flaum, Douglas) (Entered: 08/15/2012)
09/14/2012		Minute Entry for proceedings held before Judge George B. Daniels: Interim Pretrial Conference held on 9/13/2012. Norman Siegel, Herbert Teitelbaum for Occupy Wall Street; Whyllie Stecklow for Global Resolution; Richard Leland and Laura Sinrod for Brookfield Officer Properties, Inc. Sheryl Neufeld for the City of New York. The next conference is scheduled for December 11, 2012 at 9:30 a.m. (Vega, Elizabeth) (Entered: 09/14/2012)
10/12/2012	<u>17</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 9/13/2012 before Judge George B. Daniels. Court Reporter/Transcriber: Carol Ganley, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/5/2012. Redacted Transcript Deadline set for 11/16/2012. Release of Transcript Restriction set for 1/14/2013.(McGuirk, Kelly) (Entered: 10/12/2012)

10/12/2012	<u>18</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/13/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/12/2012)
11/23/2012	<u>19</u>	NOTICE OF APPEARANCE by Nicholas Robert Ciappetta on behalf of Michael Bloomberg, John Doherty, Raymond Kelly, The City of New York (Ciappetta, Nicholas) (Entered: 11/23/2012)
11/26/2012	<u>20</u>	REVISED CIVIL CASE MANAGEMENT PLAN AND SCHEDULING ORDER: This plan is also a scheduling order pursuant to Rules 16 and 26(F) of the Federal Rules of Civil Procedure. Additional parties may be joined and the pleadings may otherwise be amended as a matter of course on or before January 30, 2013, except that plaintiffs may as a matter of course substitute individuals for all or some of the John Does and Richard Roes on or before March 1, 2013. Discovery shall be commenced in time to be completed by April 5, 2013. Dispositive motions are to be served by May 10, 2013. Answering papers are to be served within 28 days. Reply papers are to be served within 28 days. A final pretrial conference will be held on June 25, 2013 at 9:30 a.m. The Joint Pretrial Order shall be filed no later than June 17, 2013. All motions and applications shall be governed by the Court's Individual Rules of Practice. The parties shall be ready for trial within 48 hours notice on or after July 17, 2013. The estimated trial time is 5 days, and this is a jury trial. The Next Case Management Conference will be held on December 11, 2012 at 9:30 a.m. Amended Pleadings due by 1/30/2013. Joinder of Parties due by 1/30/2013. Discovery due by 4/5/2013. Case Management Conference set for 12/11/2012 at 09:30 AM before Judge George B. Daniels. Final Pretrial Conference set for 6/25/2013 at 09:30 AM before Judge George B. Daniels. Pretrial Order due by 6/17/2013. (Signed by Judge George B. Daniels on 11/26/2012) (ja) (Entered: 11/26/2012)
12/10/2012	<u>21</u>	ENDORSED LETTER addressed to Judge George B. Daniels from Sheryl R. Neufeld dated 12/6/2012 re: Request to adjourn the 12/11/2012 conference. ENDORSEMENT: The conference is adjourned to January 8, 2013 at 9:30 a.m. (Case Management Conference reset for 1/8/2013 at 09:30 AM before Judge George B. Daniels.) (Signed by Judge George B. Daniels on 12/10/2012) (cd) (Entered: 12/10/2012)
01/08/2013		Minute Entry for proceedings held before Judge George B. Daniels: Interim Pretrial Conference held on 1/8/2013. Norman H. Siegel, Herbert Teitelbaum for Pl. Occupy Wall Street; Wyolie M. Stecklow for Pl. Global Revolution TV, Inc.; Sheryl Neufeld for Def. City of New York, Douglas H. Flaum for Def. Brookfield Properties and Court Reporter present. The next conference is scheduled for March 5, 2013 at 9:30 a.m. (Vega, Elizabeth) (Entered: 01/08/2013)
01/08/2013	<u>22</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement. Referred to Magistrate Judge Frank Maas. (Signed by Judge George B. Daniels on 1/8/2013) (ja) (Entered: 01/08/2013)
01/16/2013	<u>23</u>	SECOND REVISED CIVIL CASE MANAGEMENT PLAN AND SCHEDULING ORDER: After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(F) of the Federal Rules of Civil Procedure. Joinder of Parties due by 4/1/2013. Discovery due by 5/15/2013. Case Management Conference set for 3/5/2013 at 09:30 AM before Judge George B. Daniels. Final Pretrial Conference set for 8/5/2013 at 09:30 AM before Judge George B. Daniels. Pretrial Order due by 7/29/2013. Ready for Trial by 9/9/2013. The estimated trial time is 5 days, and this is a jury trial. SO ORDERED. (Signed by Judge George B. Daniels on 1/16/2013) (ama) (Entered: 01/16/2013)
01/23/2013	<u>24</u>	NOTICE OF COURT CONFERENCE: A settlement conference in the above referenced matter has been scheduled for March 6, 2013, at 2:00 p.m., before Magistrate Judge Frank Maas, in Courtroom 20A, 500 Pearl Street, New York 10007. Judge Maas' settlement procedures are attached. Requests for adjournment

		must be made to the Court, in writing, at least 48 hours prior to the conference. (mro) (Entered: 01/23/2013)
01/30/2013	<u>25</u>	MOTION for Judgment on the Pleadings (<i>Partial</i>). Document filed by Michael Bloomberg, John Doherty, Raymond Kelly, The City of New York. Responses due by 2/13/2013(Neufeld, Sheryl) (Entered: 01/30/2013)
01/30/2013	<u>26</u>	DECLARATION of Sheryl R. Neufeld in Support re: <u>25</u> MOTION for Judgment on the Pleadings (<i>Partial</i>).. Document filed by Michael Bloomberg, John Doherty, Raymond Kelly, The City of New York. (Attachments: # <u>1</u> Exhibit A–B)(Neufeld, Sheryl) (Entered: 01/30/2013)
01/30/2013	<u>27</u>	MEMORANDUM OF LAW in Support re: <u>25</u> MOTION for Judgment on the Pleadings (<i>Partial</i>).. Document filed by Michael Bloomberg, John Doherty, Raymond Kelly, The City of New York. (Neufeld, Sheryl) (Entered: 01/30/2013)
02/07/2013	<u>28</u>	ENDORSED LETTER addressed to Judge George B. Daniels from Sharon Sprayregen dated 2/6/2013 re: Plaintiff's counsel writes to request that the next status conference which is currently scheduled for March 5, 2013, be adjourned to a date after March 6, when the parties are scheduled to meet with Magistrate Judge Maas. ENDORSEMENT: So Ordered. The conference is adjourned to April 10, 2013 at 9:30 a.m. (Status Conference set for 4/10/2013 at 09:30 AM before Judge George B. Daniels.) (Signed by Judge George B. Daniels on 2/7/2013) (ago) (Entered: 02/07/2013)
02/07/2013	<u>29</u>	NOTICE OF CHANGE OF ADDRESS by Sheryl Rebecca Neufeld on behalf of Michael Bloomberg, John Doherty, Raymond Kelly, The City of New York. New Address: New York City Law Department, 100 Church Street, New York, New York, 10007, 212–356–2207. (Neufeld, Sheryl) (Entered: 02/07/2013)
02/27/2013	<u>30</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Sheryl R. Neufeld dated 2/27/2013 re: I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, counsel for defendants in the above–referenced actions. I am writing on behalf of counsel for all parties in both of the above–referenced cases to request that your Honor adjourn the scheduled March 6, 2013 settlement conference. ENDORSEMENT: Adjourned to 4/8/13 at 3 pm in Courtroom 9A. (Settlement Conference set for 4/8/2013 at 03:00 PM in Courtroom 9A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 2/27/2013) (djc) Modified on 3/1/2013 (djc). (Entered: 02/27/2013)
03/13/2013	<u>31</u>	ENDORSED LETTER addressed to Judge George B. Daniels from Sharon Sprayregen dated 3/13/2013 re: The parties have agreed to extend the time for Plaintiff to respond to Defendants' motion for partial judgment on the pleadings until 4/12/2013. The parties have also agreed that Defendants' time to serve their reply, if any, is extended until 5/3/2013. ENDORSEMENT: So Ordered., Set Deadlines/Hearing as to <u>25</u> MOTION for Judgment on the Pleadings (<i>Partial</i>) : (Responses due by 4/12/2013, Replies due by 5/3/2013.) (Signed by Judge George B. Daniels on 3/13/2013) (sac) (Entered: 03/13/2013)
04/09/2013	<u>32</u>	ENDORSED LETTER addressed to Judge George B. Daniels from Sharon Sprayregen dated 4/4/2013 re: I am an Associate at Siegel Teitelbaum and Evans, LLP, counsel for Plaintiffs in the above–referenced action. The parties have settled the litigation and are in the process of obtaining signatures on the settlement documents. Accordingly we respectfully request that the April 10, 2013 status conference be cancelled. ENDORSEMENT: SO ORDERED. (Signed by Judge George B. Daniels on 4/9/2013) (mt) (Entered: 04/09/2013)
04/09/2013	<u>33</u>	STIPULATION OF DISCONTINUANCE AND SETTLEMENT: NOW, THEREFORE, this matter is settled on the following terms: The above–referenced action, including the third–party action, is discontinued with prejudice and without costs, expenses, or any additional fees, except those set forth in paragraphs "3," "4" and "6" below...The City of New York ("the City"), on behalf of all Defendants, shall pay to the Occupy Wall Street, Library Working Group Forty–Seven Thousand Dollars (\$47,000) ("the settlement amount") in full settlement of all of Plaintiffs' claims for damages. Payment of the settlement amount shall be made by forwarding a check in the amount of \$47,000 directly to Plaintiffs' attorney at 260

Madison Avenue, 22nd Floor, New York, New York 10016 and made jointly payable to Occupy Wall Street, Library Working Group and Siegel Teitelbaum & Evans, LLP. So that the City can make payment of the settlement amount, Plaintiffs shall forward the following to the undersigned counsel for the City: 1) a "So Ordered" copy of this stipulation; 2) the Taxpayer ID number used by Occupy Wall Street; 3) the Taxpayer ID number used by Plaintiffs' counsel; 4) an executed affidavit of no liens for each named Plaintiff; and 5) a release executed by each named Plaintiff; Defendants shall pay Plaintiffs' attorneys' fees of One Hundred Eighty-Five Thousand Dollars (\$185,000) pursuant to 42 U.S.C. § 1988, and One Thousand Three Hundred Forty-Nine Dollars and Fifty-Eight Cents (\$1,349.58) for costs and expenses incurred in this matter. Payment of the total amount of fees and costs (\$186,349.58) shall be made by forwarding a check in that amount directly to Plaintiffs' attorney at 260 Madison Avenue, 22nd Floor, New York, New York 10016 and made payable to Siegel Teitelbaum & Evans, LLP... Third-Party Defendant, Brookfield Office Properties, Inc. in settlement of the third-party action initiated by the defendants/Third-Party Plaintiffs on or about June 26, 2012 shall indemnify the City in the amount of Fifteen Thousand Six Hundred Sixty-Six Dollars and Sixty-Seven Cents ("\$15,666.67"), by delivering a check made payable to the City of New York in the amount of Fifteen Thousand Six Hundred Sixty-Six Dollars and Sixty-Seven Cents ("\$15,666.67") to the undersigned counsel for the City... and as further set forth in this Order. (Signed by Judge George B. Daniels on 4/9/2013) (mt). Modified on 4/18/2013 (mt). (Entered: 04/09/2013)