

At an IAS Part 506 of the Supreme Court of the State of New York, held in and for the County of New York at the courthouse located at 60 Centre Street on the 12 day of Dec, 2008.

PRESENT: HON. JACQUELINE W. SILBERMANN

----- X

EBONY BOSTON, et al.,

Plaintiffs,

FINAL JUDGMENT

-against-

CITY OF NEW YORK, et al.,

Index No. 402295/08

Defendants.

----- X

IT IS HEREBY STIPULATED as follows:

1. This judgment brings to an end all aspects of the Boston litigation and there are no further claims or motions pending in the Boston litigation involving the City of New York, its agencies, officials and employees (the "City defendant"). No further motions or proceedings shall be brought in the Boston litigation as to the City defendant. The Hon. Jacqueline W. Silberman retains no jurisdiction to enforce this judgment.

2. By stipulating to the entry of this judgment, the City defendant does not admit to wrongdoing or liability in the Boston litigation.

3. Eligible homeless families with children, defined as families with children who lack alternate housing, and families with children seeking shelter who,

pending the City's eligibility determination, qualify for shelter pursuant to applicable local and/or State law, codes, regulations, and agency guidances ("applicable law"), are entitled to emergency shelter and the City shall not deny shelter to such families.

4. The City shall provide shelter facilities for families with children that are safe, sanitary and decent as defined by applicable law. The City shall make shelter placements for families with children in a timely and appropriate manner as defined by applicable law.

5. The City shall have administrative procedures in place that provide as follows:

(a) The City shall conduct an adequate investigation to verify whether a family with children seeking shelter has other housing available to them. Such families have an obligation to cooperate in the investigation and provide evidence of homelessness by providing reasonably available information and documents regarding their need. The City shall assist such families in the investigation by providing information, guidance and support in understanding the process and by assisting them in securing necessary information and documents from government agencies and third parties to the extent reasonably available. Such families will not be found ineligible for shelter solely because of the non-cooperation of third parties or solely based on their inability to provide requested documentation where the family has otherwise cooperated with the investigation. Documents or other evidence submitted at any time during the eligibility process will be considered.

(b) The City shall consider all relevant facts throughout the eligibility process to determine whether a family with children seeking shelter is eligible to receive

shelter, including whether housing resources are unsafe or overcrowded and therefore not available to the family. The determination whether such a family is eligible to receive shelter shall be based on the totality of the circumstances, with an individual analysis of each such family's situation. In determining whether a family is eligible for shelter and in making appropriate shelter placements, and expedited placements where necessary, the City shall consider domestic violence, medical or child welfare issues in the household of the family seeking shelter. In determining whether a family is eligible for shelter, the City shall ask such family whether there are any domestic violence, medical or child welfare issues in the household of the primary tenant and shall consider such issues. The City shall promptly refer any member of a family seeking shelter who may be a domestic violence victim to a worker specifically trained to deal with these issues whose determination regarding domestic violence issues shall govern, and all shelter eligibility investigations, with the exception of the currently pending interview of such family member, shall cease pending the specially trained domestic violence worker's evaluation and determination.

(c) Families with children seeking shelter have a right to receive a written notice of eligibility or ineligibility pursuant to applicable law.

(d) Families with children found ineligible for shelter may reapply at any time and obtain shelter only in accordance with applicable law.

(e) The City shall terminate shelter for homeless families with children in accordance with applicable law.

(f) In accordance with applicable law, a permanent address is not required to establish or maintain eligibility for public benefits, including cash assistance, food stamp benefits, and medical assistance.

(g) Any legal representatives shall have access to family shelters and may visit families in their individual shelter units and have access to other areas of a facility in accordance with applicable law for the purpose of providing legal assistance to families who have retained them for legal assistance. If another family seeks out the representative for the purpose of obtaining legal assistance, the representative may speak with the family in the manner described above. Any legal representatives shall have access to PATH or other intake center for families solely for the purpose of providing legal assistance to families who have retained them to provide legal assistance. If another family at the intake center seeks out the legal representative for the purpose of obtaining legal assistance, the representative may provide legal assistance to that family in the same manner as described above.

(h) Application and eligibility data contained in the Critical Activities Report which is currently published on the New York City Department of Homeless Services' ("DHS") website shall be disaggregated for families with children and families without children. The City shall also publish on the DHS website, or disseminate through equally or more effective means, reports on a monthly basis that shall include the number of applicant families with children found ineligible for shelter who reapplied and were subsequently found eligible within 90 days and the mean number of applications filed by such families. The term "ineligible" as used in the preceding sentence will be defined in such monthly reports as having an available housing option. The City shall also publish

on the DHS website, or disseminate through equally or more effective means, a quarterly report that shall include the number of families with children who reapplied and did not receive immediate needs shelter and then were found eligible on that same application and the mean number of applications filed by such families. Publication of these data reports shall commence within 180 days of entry of judgment.

6. Any claim that the provisions contained in this judgment have been violated must be brought in a new action, where the provisions of this judgment may be enforced by any Justice of the Supreme Court who may exercise all of the authority that is conferred on the Supreme Court to enforce a judgment, including using any available remedies to achieve compliance with a judgment. In any such action, the City shall have all rights that any governmental entity may have under the New York Civil Practice Law and Rules (the "CPLR") including without limitation any applicable provisions of CPLR §5519 and §6313(a), and the parties shall have all rights to discovery that they may have under all applicable provisions of the CPLR. Before commencing any subsequent action alleging that the provisions of this judgment have been violated and before seeking temporary relief in any such subsequent action, the party seeking relief shall provide the City with prior notice if possible. In any subsequent action, the moving party will seek an enforcement order first before seeking other coercive remedies.

7. This judgment is subject to the approval of this Court pursuant to Rule 908 of the CPLR. Before this Court can approve this judgment, it will direct that notice be provided, pursuant to Rule 908, to all class members and proposed class members and others similarly situated who would be bound by it. Before this judgment may be approved, there shall be notice of its terms to all class members and proposed

class members and others similarly situated; a comment period during which any person who wishes to present comments or objections may do so; and a hearing to consider its fairness and adequacy, at which any class member, proposed class member and similarly situated person who wishes to make an oral statement regarding its fairness and adequacy may do so. The terms and manner of the notice, receipt of comments and objections, and the fairness hearing shall be set forth in a separate order by this Court. This judgment, and all of its provisions other than this paragraph 7, will not become effective until this judgment, and each of the judgments in McCain v. Bloomberg, et al., Index No. 41023/83, Lamboy v. Doar, et al., Index No. 41108/85, Slade v. Bloomberg, et al., Index No. 45177/86, and Cosentino v. Carrión, et al., Index. No. 43236/85 (collectively, the "other cases") have been approved and entered by the Court. In the event this judgment, or any of the judgments in the other cases, is not approved by the Court, this judgment will be of no further force or effect.

8. Paragraph 5 above shall remain in effect until December 31, 2010 and shall automatically expire at the end of said period, provided however that the sunset of any or all requirements of paragraph 5 may be extended only in a newly commenced action by an order of a Justice of the Supreme Court on a demonstration by the plaintiff or plaintiffs in that new action of systemic non-compliance that warrants continuation of any or all requirements of paragraph 5 for a specified time. In order to prove systemic non-compliance, the moving party shall bear the burden of proving that the alleged non-compliance is sufficiently significant and widespread or recurring as to be systemic. Minimal or isolated failures or omissions shall not constitute systemic non-compliance.

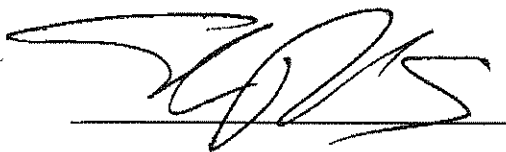
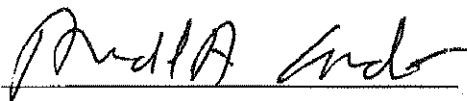
A proceeding seeking relief under this paragraph may not be commenced until the City has been given at least 30 days prior notice of intent to seek such relief.

9. The parties hereto shall bear their own attorney's fees and costs in this action.

Dated: September 17, 2008
New York, New York

MICHAEL A. CARDOZO
Corporation Counsel of the City
of New York
Attorney for City Defendant

STEVEN BANKS
Attorney-in-Chief
The Legal Aid Society
Attorney for Plaintiffs

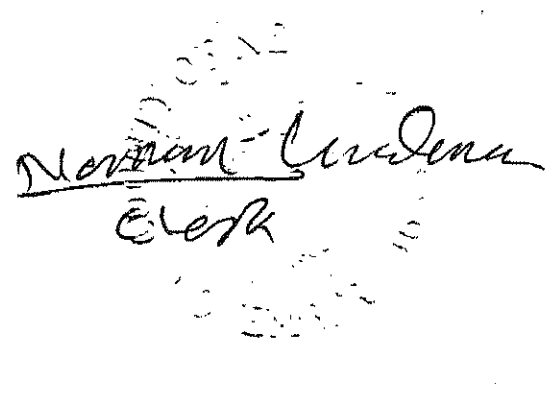


ENTER.


Hon. Jacqueline W. Silbermann, J.S.C.

Judgment entered this 12th day of Dec., 2008

FILED
DEC 12 2008
COUNTY CLERK'S OFFICE
NEW YORK


Norman Cardona
Clerk

FILED

SEP 24 2008

NEW YORK
COUNTY CLERK'S OFFICE

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NEW YORK

EBON BOSTON, M.T. and PAMELA NELSON, on behalf of
themselves and dependant minors in their care and all others
similarly situated,

Plaintiffs,

-against-

THE CITY OF NEW YORK and DAVID A. HANSELL, as
Commissioner of the New York State Office of Temporary and
Disability Assistance,

Defendants.

~~VERIFIED COMPLAINT~~

Subject

THE LEGAL AID SOCIETY

Attorneys for Plaintiffs

199 Water Street

New York, NY 10038

(212) 577-3277

Index No. 081 402245

402245108

FILED

DEC 12 2008

AT 12:05 PM
N.Y. CO. CLERK'S OFFICE

At an IAS Part 50 of the Supreme Court of the State of New York, held in and for the County of New York at the courthouse located at 60 Centre Street on the 12 day of Dec, 2008.

PRESENT: HON. JACQUELINE W. SILBERMANN

----- x Index No. 402295/08

EBONY BOSTON, M.T. and PAMELA NELSON, on behalf of themselves and dependent minors in their care and all others similarly situated,

Plaintiffs

-against-

CITY OF NEW YORK, et al.,

Defendants.

**FINAL JUDGMENT WITH
RESPECT TO THE STATE
DEFENDANT**

----- x

IT IS HEREBY STIPULATED as follows:

1. This judgment resolves all issues in this litigation involving David A. Hansell, as Commissioner of New York State Office of Temporary and Disability Assistance ("OTDA")¹, and there are no remaining claims or motions pending in this litigation involving OTDA. No further motions or proceedings shall be brought in this litigation as to OTDA. The Hon.

¹ When litigation was commenced in 1983, the New York State Department of Social Services (the "NYSDSS") was the State agency which supervised the local social services districts' administration of the public assistance programs. See Social Services Law §§ 2(1), 20, & 34. Effective April 1, 1997, the NYSDSS was reorganized as the New York State Department of Family Assistance, consisting of two independent offices -- OTDA and the Office of Children and Family Services. N.Y. Laws of 1997, Chapter 436, § 122(a).

Jacqueline W. Silbermann is entering this judgment in her capacity as the Administrative Judge and has not been assigned this case.

2. By stipulating to the entry of this judgment, OTDA does not admit to wrongdoing or liability in this litigation.

3. In accordance with applicable law, regulations, and directives, families with children seeking temporary housing assistance in New York City can contest determinations of ineligibility for temporary housing assistance at State administrative fair hearings, and OTDA shall schedule priority hearings requested by such families to contest such determinations.

4. The New York City Department of Homeless Services ("DHS"), pursuant to Social Services Law § 20(3)(a) and 18 N.Y.C.R.R. § 300.6, has submitted to OTDA for its review and approval, a proposed administrative procedure (the "Procedure") pursuant to which DHS shall determine whether a family with children seeking temporary housing assistance has other housing available to them.

5. OTDA will approve the Procedure.

6. For as long as the Procedure remains in effect in accordance with the Final Judgment against the defendant City of New York in this litigation or otherwise, OTDA shall transmit the Procedure to its hearing officers who preside at administrative fair hearings in New York City for eligibility of families with children for temporary housing assistance, and apply the Procedure in such administrative fair hearings but only in deciding whether a family with children has other housing available to them.

7. Any claim that the provisions contained in this judgment have been violated by OTDA must be brought in a new action, where the provisions of this judgment may be enforced by any Justice of the Supreme Court who may exercise all of the authority that is conferred on

the Supreme Court to enforce a judgment, including using any available remedies to achieve OTDA's compliance with a judgment. In order to obtain relief in such an enforcement effort, the moving party must demonstrate OTDA's systemic non-compliance and bears the burden of proving that the alleged non-compliance is sufficiently significant and widespread or recurring as to be systemic. Minimal or isolated failures or omissions by OTDA shall not constitute systemic non-compliance. In any such action, OTDA shall have all rights that any governmental entity may have under the New York Civil Practice Law and Rules (the "CPLR") including without limitation any applicable provisions of CPLR 5519 and 6313(a), and the parties shall have all rights to discovery that they may have under all applicable provisions of the CPLR. Before commencing any subsequent action alleging that the provisions of this judgment have been violated by OTDA and before seeking temporary relief in any such subsequent action, the party seeking relief shall provide OTDA with prior notice in accordance with applicable law. In any subsequent action, the moving party will seek an enforcement order first before seeking other coercive remedies. An individual family with children seeking temporary housing assistance in New York City who wants to bring a judicial proceeding to challenge the family's individual State administrative fair hearing shall proceed in an individual case.

8. This judgment is subject to the approval of this Court pursuant to Rule 908 of the CPLR. Before this Court can approve this judgment, it will direct that notice be provided, pursuant to Rule 908, to all class members and proposed class members and others similarly situated who would be bound by it. Before this judgment may be approved, there shall be notice of its terms to all class members and proposed class members and others similarly situated; a comment period during which any person who wishes to present comments or objections may do

so; and a hearing to consider its fairness and adequacy, at which any class member, proposed class member, or similarly situated person who wishes to make an oral statement regarding its fairness and adequacy may do so. The terms and manner of the notice, receipt of comments and objections, and the fairness hearing shall be set forth in a separate order by this Court. This judgment, and all of its provisions other than this paragraph 8, will not become effective until this judgment, and each of the judgments in Boston v. City of New York, et al., Index No. 402295/08, McCain v. Bloomberg, et al., Index No. 41023/83, Lamboy v. Doar, et al., Index No. 41108/85, Slade v. Bloomberg, et al., Index No. 45177/86, and Cosentino v. Carrión, et al., Index No. 43236/85 (collectively, the "other cases") have been approved and entered by the Court. In the event this judgment, or any of the judgments in the other cases, is not approved by the Court, this judgment will be of no further force or effect.

9. The parties hereto shall bear their own attorney's fees and costs in this action.

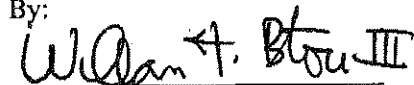
Dated: New York, New York
September 17, 2008

STEVEN BANKS
Attorney-in-Chief
The Legal Aid Society
199 Water Street
New York, New York 10038
(212) 577-3277

Attorney for Plaintiffs

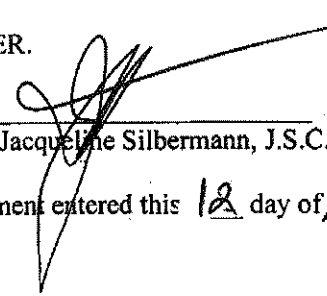


ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for OTDA
By:



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Assistant Attorney General
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New York, New York 10271
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ENTER.



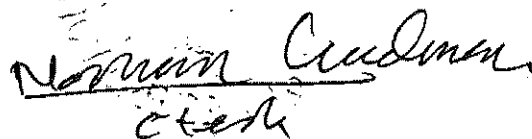
Hon. Jacqueline Silbermann, J.S.C.

Judgment entered this 12 day of Dec, 2008.

FILED

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COUNTY CLERK'S OFFICE
NEW YORK



Norman Goodman
Clerk

FILED

SEP 21 2008

NEW YORK
COUNTY CLERKS OFFICE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No. 021460245

462295108

EBONY BOSTON, M.T. and PAMELA NELSON, on behalf of
themselves and dependant minors in their care and all others
similarly situated,

Plaintiffs,

-against-

THE CITY OF NEW YORK and DAVID A. HANSELL, as
Commissioner of the New York State Office of Temporary and
Disability Assistance,

Defendants.

Subsequent

~~VERIFICATION OF COMPLAINT~~
THE LEGAL AID SOCIETY

Attorneys for Plaintiffs

199 Water Street

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FILED

DEC 12 2008

AT 12:05 PM
N.Y. CO. CLKS OFFICE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
EBONY BOSTON, et al.,

Plaintiffs,

- against -

THE CITY OF NEW YORK, etc., et al.,

Defendants.
-----X

Index No. 402295/08

STIPULATION AND ORDER

IT IS HEREBY STIPULATED as follows:

1. The City of New York ("the City") will take the following steps to locate and pay fines to homeless families whom the City has previously identified as entitled to fines pursuant to various court orders in McCain v. Bloomberg, Index No. 41023/83, Lamboy v. Doar, Index No. 41108/85, and Slade v. Bloomberg, Index No. 45117/86, but who have not yet been paid:

(a) The City will pay families who are in receipt of cash assistance through the Human Resources Administration's ("HRA") Electronic Benefit Transfer system ("EBT") by approximately February 6, 2009. Prior to the payment of the fines, the City shall send a notice to such recipients entitled to fines (in English and Spanish) informing them of (i) the amount of fines they are owed, (ii) the category or categories of the fines that they are owed, as defined on Exhibit A attached hereto, (iii) the date(s) of the violation(s) triggering payment, and (iv) the date and manner in which the fines payment will be made. The notice shall state that those who believe there has been an error associated with this payment shall contact the Department of Homeless Services ("DHS") at 212-607-2425 and/or The Legal Aid Society ("Legal Aid") at 1-800-649-9125 to make

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an inquiry within 60 days of the payment date on the notice or within 60 days of the payment itself, whichever is later. Timely inquiries shall be resolved in a manner to be determined by the parties.

(b) Following the payments described in Paragraph 1.a. above, DHS will attempt to locate and pay all remaining families previously identified as entitled to fines by searching for them:

- (i) in the DHS, Department of Housing Preservation and Development, and HRA domestic violence shelter systems;
- (ii) in New York City Housing Authority and/or Section 8 housing;
- (iii) in Housing Stability Plus and Advantage apartments;
- (iv) in the City's databases of recipients of benefits other than public assistance, i.e., food stamps, Medicaid, and Supplement Security Income ("SSI");
- (v) through a search of the National Change of Address ("NCOA") database provided by the US Postal Service; and
- (vi) through a search of the Lexis Nexis database.

The City shall send a notice to all families owed fines identified through the searches above informing them of (1) the amount of fines they are owed, (2) the category or categories of the fines that they are owed, and (3) the date(s) of the violation(s) triggering payment. The notice shall further inform families that in order to receive payment, an enclosed claim form must be completed and returned to Analytics, the City's claims administrator, by a date specified on the notice ("claims submission deadline") which shall be no earlier than 60 days after the notice is mailed. The notice shall also inform families that they may expect to receive payment by check within 60 days of the claims

submission deadline. The notice shall further state that those who believe there has been an error associated with this payment shall contact DHS at 212-607-2425 and/or Legal Aid at 1-800-649-9125 to make an inquiry within 90 days of the claims submission deadline. Timely inquiries for individual families and others similarly situated shall be resolved in a manner to be determined by the parties.

2. The City's total amount of fines payments pursuant to this Stipulation and Order shall not exceed \$5,440,271.74 ("the capped fines amount"). To the extent that funds remain in the capped fines amount after the City completes payments pursuant to Paragraph 1 above, the City will pay fines to all homeless families who were found eligible for shelter and who experienced incidents in Categories I, II, III, IV, and VI-A, as defined on Exhibit A, attached hereto, during applications which resulted in ineligible determinations and which preceded a determination of eligibility. The amount of the fines shall be \$150 per incident except that the amount shall be prorated per family if necessary to stay within the capped fines amount. The City shall attempt to pay these fines in accordance with the steps outlined in Paragraph 1. However,

(a) families who are in receipt of cash assistance through the HRA EBT system who are receiving payments pursuant to this Paragraph 2 shall receive a notice explaining (i) the amount of fines they are owed, (ii) the date and manner in which the fines payments will be made, and (iii) that the fines payments are being made as a result of a settlement and without any admission of liability on the part of the City. The notice shall further inform families that if they do not receive the payment, they should contact DHS at 212-607-2425 and/or Legal Aid at 1-800-649-9125 within 60 days of the payment date on the notice to make an inquiry. Those inquiries, limited to whether payments were in fact received, shall be resolved in a manner to be determined by the parties.

(b) families who are not in receipt of cash assistance receiving who are receiving payments pursuant to this Paragraph 2 shall receive a notice explaining (i) the amount of fines they are owed, (ii) the manner in which the fines payments will be made, and (iii) that the fines payments are being made as a result of a settlement and without any admission of liability on the part of the City. The notice shall further inform families that in order to receive payment, an enclosed claim form must be completed and returned to Analytics, the City's claims administrator, by a date specified on the notice ("claims submission deadline") which shall be no earlier than 60 days after the notice is mailed. The notice shall also inform families that they may expect to receive payment by check within 60 days of the claims submission deadline. The notice shall further inform families that if they do not receive the payment, they should contact DHS at 212-607-2425 and/or Legal Aid at 1-800-649-9125 to within 90 days of the claims submission deadline. Those inquiries, limited to whether payments were in fact received, shall be resolved in a manner to be determined by the parties.

3. To the extent that funds remain in the capped fines amount after the City has completed payments pursuant to Paragraphs 1 and 2 above, the City shall pay the families who filed claims with the City by June 30, 2008 disputing some aspect of the payment (either the amount of their fines payment or DHS' determination that they were not eligible for a fines payment), and who are not receiving fines payments pursuant to Paragraph 2 above, a flat payment of \$150 per family, except that the amount shall be prorated per family if necessary to stay within the capped fines amount. The City shall attempt to pay these fines in accordance with the steps outlined in Paragraph 1. However,

(a) families who are on in receipt of cash assistance through the HRA EBT system who are receiving payments pursuant to this Paragraph 3 shall receive a notice explaining (i) the

amount of fines they are owed, (ii) the date and manner in which the fines payments will be made, and (iii) that the fines payments are being made as a result of a settlement and without any admission of liability on the part of the City. The notice shall further inform families that if they do not receive the payment, they should contact DHS at 212-607-2425 and/or Legal Aid at 1-800-649-9125 within 60 days of the payment date on the notice to make an inquiry. Those inquiries, limited to whether payments were in fact received, shall be resolved in a manner to be determined by the parties.

(b) families who are not in receipt of cash assistance receiving who are receiving payments pursuant to this Paragraph 3 shall receive a notice explaining (i) the amount of fines they are owed, (ii) the manner in which the fines payments will be made, and (iii) that the fines payments are being made as a result of a settlement and without any admission of liability on the part of the City. The notice shall further inform families that in order to receive payment, an enclosed claim form must be completed and returned to Analytics, the City's claims administrator, by a date specified on the notice ("claims submission deadline") which shall be no earlier than 60 days after the notice is mailed. The notice shall also inform families that they may expect to receive payment by check within 60 days of the claims submission deadline. The notice shall further inform families that if they do not receive the payment, they should contact DHS at 212-607-2425 and/or Legal Aid at 1-800-649-9125 to within 90 days of the claims submission deadline. Those inquiries, limited to whether payments were in fact received, shall be resolved in a manner to be determined by the parties.

4. Any fines which the City has previously reported as paid on the "HRA Paid" or "Analytics Paid" list, but which were not received by families, will be paid by the City in the future.

5. The City shall provide to Legal Aid lists of families that they intend to pay fines to pursuant to Paragraphs 1, 2, and 3 above, which shall include the name of the person to be paid, the public assistance case number if available, the social security number if available, the address, and the projected date and manner of intended payment. Following the issuance of payments pursuant to Paragraphs 1, 2, and 3 above, the City shall provide to Legal Aid amended versions of the lists which shall include payments actually made and the date and manner of payment.

6. Any claim that the provisions contained in this Stipulation and Order have been violated must be brought in a new action, where the provisions of this Stipulation and Order may be enforced by any Justice of the Supreme Court who may exercise all of the authority that is conferred on the Supreme Court to enforce a Stipulation and Order, including using any available remedies to achieve the City's compliance with an order. In any such action, the City shall have all rights that any governmental entity may have under the New York Civil Practice Law and Rules (the "CPLR") including without limitation any applicable provisions of CPLR 5519 and 6313(a), and the parties shall have all rights to discovery that they may have under all applicable provisions of the CPLR. Before commencing any subsequent action alleging that the provisions of this Stipulation and Order have been violated by the City and before seeking temporary relief in any such subsequent action, the party seeking relief shall provide the City with prior notice in accordance with applicable law. In any subsequent action, the moving party will seek an enforcement order first before seeking other coercive remedies.

7. The rights of class members to the payment of fines pursuant to the Court orders in McCain v. Bloomberg, Lamboy v. Doar and Slade v. Bloomberg are subject to and governed by the terms of this Stipulation and Order and are enforceable solely as provided herein and shall

not be enforceable in any other forum. To the extent that the terms of prior orders with respect to the payment of fines are inconsistent with the provisions hereof, such terms shall be of no further force or effect.

STEVEN BANKS, Attorney-in-Chief
The Legal Aid Society
199 Water Street
New York, New York 10038
Attorneys for the Plaintiff Class

THOMAS C. CRANE, Esq.
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New York, New York 10007
Attorneys for City Defendants

SO ORDERED.


Hon. Jacqueline Silberman, J.S.C.

Dated: December 12th, 2008

FILED

DEC 12 2008

NEW YORK
COUNTY CLERK'S OFFICE

THE FINES CATEGORIES

Category I

Eligible families with children who remained at the EAU in excess of 48 hours after applying for shelter. (June 16, 1995 through May 5, 1996)

Category II

Eligible families with a newborn under six months of age, a pregnant woman, or a member of the family with a medical priority, who were not placed within 24 hours of their application for shelter. (November 7, 1995 through June 30, 1999)

Category III

Eligible families with children not placed within 24 hours of their application. (May 6, 1996 through June 30, 1999)

Category IV

Eligible families with children who applied for shelter by 10:00 PM but remained overnight at the EAU. (July 1, 1999 through January 17, 2003)

Category V

Eligible families with children who applied for shelter prior to 10:00 PM and completed their application that same day but received a single overnight placement instead of a conditional placement ("Single Overnight Placement") and/or received two or more overnight placements. (January 31, 2001 through January 17, 2003)

Category VI - A

Eligible families with children who applied for shelter by 10:00 PM but remained overnight at the EAU. (January 17, 2003 through December 31, 2005)

Category VI - B

Eligible families with children who applied for shelter prior to 10:00 PM and received a Single Overnight Placement and/or received two or more overnight placements. (January 17, 2003 through December 31, 2005)

At an IAS Part 50th of the Supreme Court of the State of New York, held in and for the County of New York at the courthouse located at 60 Centre Street on the 12 day of Dec, 2008.

PRESENT: HON. JACQUELINE W. SILBERMANN

KAREN SLADE, et al.,

Plaintiffs,

-against-

MICHAEL R. BLOOMBERG, etc., et al.,

Defendants.

FINAL JUDGMENT

Index No. 45177/86

IT IS HEREBY STIPULATED as follows:

1. All orders entered previously in this litigation are hereby vacated except for the partial final judgment entered on June 17, 1987 which is now a final judgment. All pending motions are hereby withdrawn and all remaining claims for relief, other than those that have been resolved in that final judgment, are hereby dismissed with prejudice. This judgment brings to an end all remaining aspects of the Slade litigation and there are no further claims or motions pending in said litigation involving David A. Hansell, as Commissioner of the New York State Office of Temporary and Disability Assistance ("OTDA"), and the City of New York, its agencies, officials and employees (the "City defendants").

2. By stipulating to the entry of this judgment, OTDA and the City defendants do not admit to wrongdoing or liability in the Slade litigation.

3. This judgment is subject to the approval of this Court pursuant to Rule 908 of the New York Civil Practice Law and Rules. Before this Court can approve this judgment, it will direct that notice be provided, pursuant to Rule 908, to all class members and proposed class members and others similarly situated who would be bound by it. Before this judgment may be approved, there shall be notice of its terms to all class members and proposed class members and others similarly situated; a comment period during which any person who wishes to present comments or objections may do so; and a hearing to consider its fairness and adequacy, at which any class member, proposed class member and similarly situated person who wishes to make an oral statement regarding its fairness and adequacy may do so. The terms and manner of the notice, receipt of comments and objections, and the fairness hearing shall be set forth in a separate order by this Court. This judgment, and all of its provisions other than this paragraph 3, will not become effective until this judgment, and each of the judgments in Boston v. City of New York, et al., Index No. 402295/08, McCain v. Bloomberg, et al., Index No. 41023/83, Lamboy v. Doar, et al., Index No. 41108/85, and Cosentino v. Carrión, et al., Index No. 43236/85 (collectively, the "other cases") have been approved and entered by the Court. In the event this judgment, or any of the judgments in the other cases, is not approved by the Court, this judgment will be of no further force or effect.

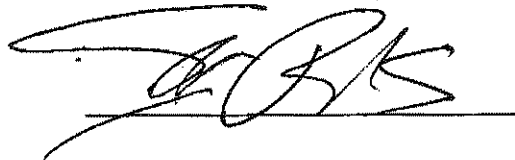
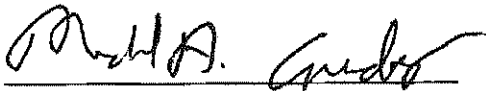
4. The Hon. Jacqueline W. Silbermann is entering this judgment in her capacity as the Administrative Judge and has not been assigned this case.

5. The parties hereto shall bear their own attorney's fees and costs in this action.

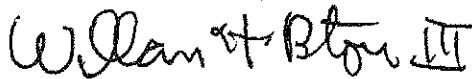
Dated: September 17, 2008
New York, New York

MICHAEL A. CARDOZO
Corporation Counsel of the City
of New York
Attorney for City Defendants

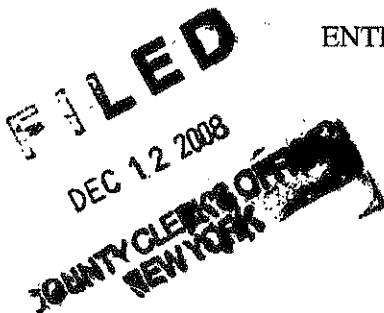
STEVEN BANKS
Attorney-in-Chief
The Legal Aid Society
Attorney for Plaintiffs



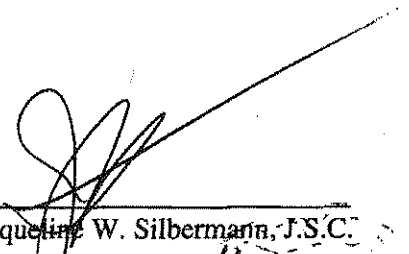
ANDREW CUOMO
Attorney General of the State
of New York
Attorney for OTDA
By:



WILLIAM H. BRISTOW III
Assistant Attorney General



ENTER.



Hon. Jacqueline W. Silbermann, J.S.C.

Judgment entered this 12th day of Dec, 2008



Norman Chelms
clerk

Index No. 45177/86
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Karen Slade et al

Plaintiff,

-against-

Michael R. Blumberg et al

Defendants.

Final Judgment

Steven Banks

The Legal Aid Society

158 W 4th Street

New York, NY 10038

212 577-3277

FILED
DEC 12 2008
AT N.Y. CO. CLERK'S OFFICE

At an IAS Part 504 of the Supreme Court of the State of New York, held in and for the County of New York at the courthouse located at 60 Centre Street on the 12 day of Dec, 2008.

PRESENT: HON. JACQUELINE W. SILBERMANN

----- X
YVONNE McCAIN, et al.,

Plaintiffs,

-against-

MICHAEL R. BLOOMBERG, et al.,

Defendants.
----- X

FINAL JUDGMENT

Index No. 41023/83

In the Matter of the Application of MARIA LAMBOY and OSCAR SERRRANO, etc., et al.,

Petitioners,

Index No. 41108/85

For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules

-against-

ROBERT DOAR, etc., et al.,

Respondents.
----- X

IT IS HEREBY STIPULATED as follows:

1. All pending motions and all claims for relief in the complaint and petition in the McCain and Lamboy litigations are hereby dismissed with prejudice.
2. All orders in the McCain and Lamboy litigations are hereby vacated.

3. By stipulating to the entry of this judgment, David A. Hansell, as Commissioner of the New York State Office of Temporary and Disability Assistance ("OTDA"), and the City of New York, its agencies, officials and employees (the "City defendants") do not admit to wrongdoing or liability in the McCain and Lamboy litigations.

4. This judgment is subject to the approval of this Court pursuant to Rule 908 of the New York Civil Practice Law and Rules. Before this Court can approve this judgment, it will direct that notice be provided, pursuant to Rule 908, to all class members and proposed class members and others similarly situated who would be bound by it. Before this judgment may be approved, there shall be notice of its terms to all class members and proposed class members and others similarly situated; a comment period during which any person who wishes to present comments or objections may do so; and a hearing to consider its fairness and adequacy, at which any class member, proposed class member and similarly situated person who wishes to make an oral statement regarding its fairness and adequacy may do so. The terms and manner of the notice, receipt of comments and objections, and the fairness hearing shall be set forth in a separate order by this Court. This judgment, and all of its provisions other than this paragraph 4, will not become effective until this judgment, and each of the judgments in Boston v. City of New York, et al., Index No. 402295/08, Slade v. Bloomberg, et al., Index No. 45177/86, and Cosentino v. Carrión, et al., Index. No. 43236/85 (collectively, the "other cases") have been approved and entered by the Court. In the event this judgment, or any of the judgments in the other cases, is not approved by the Court, this judgment will be of no further force or effect.

5. All aspects of the McCain and Lamboy litigations are hereby closed. This judgment brings to an end all aspects of the McCain and Lamboy litigations and there are no further claims or motions pending in said litigations involving OTDA and the City defendants. No further motions or proceedings will be brought in the McCain or Lamboy litigations and no further applications for relief may be made in this litigation under any circumstances.


6. The Hon. Jacqueline W. Silbermann retains no jurisdiction to enforce this judgment.

7. The parties hereto shall bear their own attorney's fees and costs in this action and in this proceeding.


Dated: September 17, 2008
New York, New York

MICHAEL A. CARDOZO
Corporation Counsel of the City
of New York
Attorney for City Defendants
and Respondents

STEVEN BANKS
Attorney-in-Chief
The Legal Aid Society
Attorney for Plaintiffs and
Petitioners

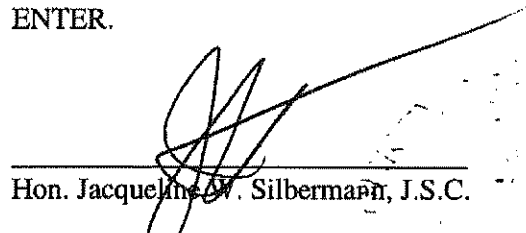


ANDREW CUOMO
Attorney General of the State
of New York
Attorney for OTDA
By:


WILLIAM H. BRISTOW III
Assistant Attorney General

ENTER.

FILED
DEC 12 2008
COUNTY CLERK'S OFFICE
NEW YORK


Hon. Jacqueline M. Silberman, J.S.C.

Judgment entered this 12 day of Dec., 2008


Clerk

Index No.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Yvonne McCann, et al

Maura Landberg, et al

Plaintiff,

-against-

800621/930
Michael Bloomberg, et al

Defendants.

Robert Noan, et al

Final Subpoena

Steven Banks

The Legal Aid Society

199 Water Street

New York NY 10038

212-577-3277

FILED
DEC 12 2008
N.Y. CO. CLERK'S OFFICE

At an IAS Part 50 of the Supreme Court of the State of New York, held in and for the County of New York at the courthouse located at 60 Centre Street on the 12 day of Dec, 2008.

PRESENT: HON. JACQUELINE W. SILBERMANN

----- X

KATHERINE COSENTINO, et al.,

Plaintiffs,

FINAL JUDGMENT

Index No. 43236/85

-against-

GLADYS CARRIÓN, etc., et al.,

Defendants.

----- X

IT IS HEREBY STIPULATED as follows:

1. Based on the holding in this litigation reported at Cosentino v. Perales, 153 A.D.2d 812 (1st Dep't 1989), this litigation is resolved.
2. All pending motions and all claims for relief in the complaint in the Cosentino litigation are hereby dismissed with prejudice, and all orders in the Cosentino litigation are hereby vacated.
3. By stipulating to the entry of this judgment, Gladys Carrión, as Commissioner of the New York State Office of Children and Family Services ("OCFS"), and the City of New York, its agencies, officials and employees (the "City defendants") do not admit to wrongdoing or liability in this litigation.

4. All aspects of the Cosentino litigation are hereby closed. This judgment brings to an end all aspects of the Cosentino litigation and there are no further claims or motions pending in this litigation involving OCFS and the City defendants. No further motions or proceedings will be brought in the Cosentino litigation and no further applications for relief may be made in this litigation under any circumstances.

5. This judgment is subject to the approval of this Court pursuant to Rule 908 of the Civil Practice Law and Rules ("CPLR"). Before this Court can approve this judgment, it will direct that notice be provided, pursuant to Rule 908, to all class members and proposed class members and others similarly situated who would be bound by it. Before this judgment may be approved, there shall be notice of its terms to all class members and proposed class members and others similarly situated; a comment period during which any person who wishes to present comments or objections may do so; and a hearing to consider its fairness and adequacy, at which any class member, proposed class member and similarly situated person who wishes to make an oral statement regarding its fairness and adequacy may do so. The terms and manner of the notice, receipt of comments and objections, and the fairness hearing shall be set forth in a separate order by this Court. This judgment, and all of its provisions other than this paragraph 5, will not become effective until this judgment, and each of the judgments in Boston v. City of New York, et al., Index No. 402295/08, McCain v. Bloomberg, et al., Index No. 41023/83, Lamboy v. Doar, et al., Index No. 41108/85, and Slade v. Bloomberg, et al., Index No. 45177/86 (collectively, the "other cases") have been approved and entered by the Court. In the event this judgment, or any of the judgments in the other cases, is not approved by the Court, this judgment will be of no further force or effect.

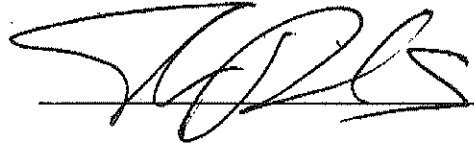
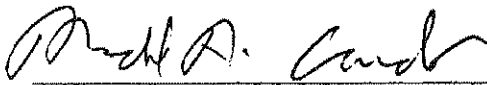
6. The Hon. Jacqueline W. Silberman retains no jurisdiction to enforce this judgment.

7. The parties hereto shall bear their own attorney's fees and costs in this action.

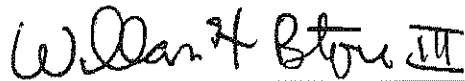
Dated: September 17, 2008
New York, New York

MICHAEL A. CARDOZO
Corporation Counsel of the City
of New York
Attorney for City Defendants

STEVEN BANKS
Attorney-in-Chief
The Legal Aid Society
Attorney for Plaintiffs



ANDREW CUOMO
Attorney General of the State
of New York
Attorney for OCFS
By:



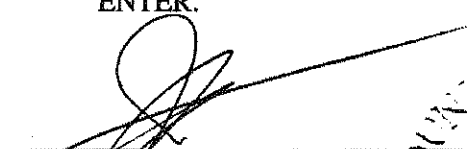
WILLIAM H. BRISTOW III
Assistant Attorney General

FILED

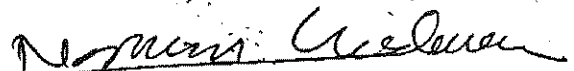
DEC 12 2008

**CLERK'S OFFICE
NEW YORK**

ENTER.


Hon. Jacqueline W. Silberman, J.S.C.

Judgment entered this 12 day of Dec, 2008


Clerk

Index No.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Katherine Cesearino, et al

Plaintiff,

-against-

Clady's Cannon, etc, et al

Defendants.

Fred Subynick

Steven Banks

The Legal Aid Society

199 Water Street

New York City 10038

212-577-3277

FILED

DEC 12 2008

12:10 P.M.
ATL. CO. CLKS OFFICE
N.Y.