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January 6, 2023

Honorable Brian M. Cohan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Phyllis Coachman v. City of New York, et. al.,
22-CV-5123 (BMC)

Your Honor:

I am the Assistant Corporation Counsel assigned to represent the City of New York (“City”) in the above-referenced action. I write, pursuant to the Court’s Order dated November 8, 2022, to provide an update regarding the status of the appeal in Fossella, et. al., v. City, et. al., No. 2022-5794 (App. Div. 2d Dep’t). The City perfected its appeal on October 11, 2022 and moved to expedite the appeal. A copy of the City’s brief is annexed hereto at Exhibit A. Respondents’ brief was filed on December 19, 2022. A copy of respondents’ brief on appeal is annexed hereto as Exhibit B. The City’s reply is due January 9, 2023.

By Order dated December 21, 2022, the City’s motion to expedite was granted and the “appeal will be calendared expeditiously after all of the briefs have been filed.” See Decision and Order on Motion, annexed hereto as Exhibit C.

The City will file another status update in 60 days, or upon issuance of the decision on appeal in Fossella if such decision is issued sooner.

I thank the Court for its attention to this matter.

Respectfully Submitted,

Aimee Lulich

cc: Counsel of Record (By ECF)