

At a Special Term Part \_\_\_\_ of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse located at 360 Adams Street, Brooklyn, New York, on the \_\_\_\_ day of May, 2018.

P R E S E N T: HON. \_\_\_\_\_  
Justice of the Supreme Court

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In the Matter of

JOANNE ADAMS, individually, and on behalf of her child, Y.A., who attends P.S. 25; SHAKEMA ARMSTEAD, individually, and on behalf of her child, D.M., who attends P.S. 25; and CRYSTAL WILLIAMS, individually, and on behalf of her two children, H.T. and K.T., both of whom attend P.S. 25,

Petitioners,

–against–

BOARD OF EDUCATION OF THE CITY OF  
NEW YORK,

Respondent,

For an Order, Pursuant to Article 78 of the CPLR and Section 2590-e(11) of the Education Law, Annuling the Decision to Close P.S. 25 in the County of Kings.

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**ORDER TO SHOW CAUSE  
AND REQUEST FOR A  
TEMPORARY  
RESTRAINING ORDER**

Index No.: 506124/2018

Assigned Judge:  
Hon. Katherine A. Levine

Upon the annexed Verified Petition, dated March 26, 2018, and the supporting documents annexed thereto, and the annexed Affirmation of Laura D. Barbieri, dated March 26, 2018, and the supporting documents annexed thereto, and the accompanying Memorandum of Law; and

Upon the annexed Affirmation of Laura D. Barbieri, dated May 16, 2018, and the annexed Affidavits of Leonie Haimson, dated May 16, 2018, the supporting documents annexed

thereto, and Crystal Williams, dated April 20, 2018, and there being good and sufficient cause being duly shown therein, Respondents are hereby

ORDERED TO SHOW CAUSE, at the Supreme Court, State of New York, County of Kings, Part \_\_\_\_, Room \_\_\_\_\_, 360 Adams Street, New York, New York, on the \_\_\_\_ day of May, 2018, at \_\_\_\_ o'clock in the \_\_\_\_\_ noon of that date or as soon thereafter as counsel may be heard, why an Order should not be entered, pursuant to § 1013 and § 7802(d) of the Civil Procedure Law and Rules:

- a. Declaring that the DOE violated Section 2590-e(11) of the New York State Education Law by voting to close P.S. 25, the Eubie Blake School, prior to the duly noticed meeting and proper vote by Community District Education Council No. 16;
- b. Annulling the Panel on Education Policy of the Board of Education's vote closing P.S. 25 as it was taken in violation of Section 2590-e(11);
- c. Directing that the issue of the closure of P.S. 25 be properly submitted to Community District Education Council No. 16 pursuant to CR-A-185 and applicable CEC 16 bylaws;
- d. Directing that the Panel on Education Policy of the Board of Education properly renote and revote on whether to close P.S. 25 should Community District Education Council No. 16 properly vote to remove the only zoned elementary school, P.S. 25, from the Attendance Zone;
- e. Granting to the Petitioners their costs, attorneys' fees, and expenses; and
- f. Granting such other and further relief as may be just and equitable; and it is further

ORDERED that pending the hearing and determination of this matter, Respondent Board of Education is:

- a. Prohibited from taking further action to close P.S. 25, including requiring students at that school to transfer to or re-register at any other New York City public school;
- b. Prohibited from taking any action to encourage teachers or staff at P.S. 25 to apply for or transfer to other jobs or positions;
- c. Directed to notify students, teachers, parents, and administrators that the matter is pending before the Court;
- d. Directed to “backpack” home a letter explaining to P.S. 25 parents and/or guardians the status of this matter, which the Parties’ attorneys will mutually prepare and agreed to;
- e. Prohibited from undertaking any lease or occupancy agreements to lease, rent, or otherwise occupy the building space that P.S. 25 currently occupies while the matter is pending before the Court; and it is further

ORDERED that service of this Order to Show Cause, and the papers upon which it is granted, be made by personal service on the Department of Education and/or the City of New York on behalf of itself, and be made by hand on or before the \_\_\_\_day of May, 2018, and shall be deemed good and sufficient service; and it is further

ORDERED that Respondents shall file, and serve by email, their responsive papers, if any, on or before the \_\_\_\_day of May, 2018 on all parties; and it is further

ORDERED that Petitioners shall file, and serve by email, their reply papers, if any, on or before the \_\_\_\_day of May, 2018.

Dated: \_\_\_\_\_

E N T E R:

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Justice of the Supreme Court