

SUMMARY STATEMENT ON APPLICATION FOR EXPEDITED SERVICE AND/OR INTERIM RELIEF

(SUBMITTED BY MOVING PARTY)

Date: 7/28/2022

Case # 2022-03187

Title Tamara Tucker et al., Petitioners v. of

Index/Indict/Docket # 155933/2022

Matter The City of New York, et al., Respondents

Appeal by Respondents from Order Judgment of Decree Supreme Surrogate's Family County New York County Court entered on July 27, 2022

Name of Judge Hon. Lyle E. Frank Notice of Appeal filed on ,20

If from administrative determination, state agency

Nature of action or proceeding Article 78 proceeding challenging implementation of NYC Department of Education approved budget for upcoming 2022-2023 school year

Provisions of order judgment decree appealed from Temporary restraining order that (a) enjoined any further implementation of funding cuts in the approved 2023 budget and (b) enjoined spending at levels different from 2021-2022 budget.

This application by appellant is for CPLR 5704(a) review by a single Justice to vacate ex parte temporary restraining order.

If applying for a stay, state reason why requested The temporary restraining order prevents DOE from taking steps necessary to ensure that the school system is prepared for the upcoming school year.

Has any undertaking been posted If "yes", state amount and type

Has application been made to court below for this relief No Disposition Has there been any prior application here in this court No If "yes", state dates and nature

Has adversary been advised of this application Yes Does he/she consent No

Attorney for Movant

Attorney for Opposition

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Appearing by Tahirih Sadrieh, Jeffrey Dantowitz

Laura D. Barbieri

(Do not write below this line)

DISPOSITION

Application for interim relief denied. Should respondents-appellants chose to continue litigating their motion, they shall file a reply brief in accordance with the schedule set forth below and the motion is referred, on an expediated basis, to a panel of this Court for hearing and determination.

Motion Date 8/8/22 Opposition N/A Received Reply 8/5/22
Justice Hon. Bahaati E. Pitt Date 7/29/22

EXPEDITE X PHONE ATTORNEYS X DECISION BY _____

ALL PAPERS TO BE SERVED PERSONALLY.

Court Attorney