



MURIEL GOODE-TRUFANT
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

JORDAN DOLL
Assistant Corporation Counsel
Phone: (212) 356-2624
Email: jdoll@law.nyc.gov

September 19, 2025

Honorable Diane Gujarati
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York
11201

Re: *Alexander et al. v. Sutton et al.* 24-cv-2224 (DG)(JRC)
Request to Adjourn Response to Plaintiffs' Pre-Motion Letter

Dear Judge Gujarati:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, assigned to represent the New York City Department of Education ("DOE"), DOE Chancellor Melissa Aviles-Ramos, DOE Equity Compliance Officer Nina Mickens, and the Community Education Council ("CEC") for Community School District 14 ("CEC 14") and Tajh Sutton and Marissa Manzanares¹ in their official capacities only (collectively "City Defendants") in the above-referenced matter. I write to request an extension of time from September 24, 2025 until December 19, 2025 for City Defendants to respond to and oppose Plaintiffs' pre-motion letter in order to allow the parties' settlement discussions to proceed.

At the heart of Plaintiffs' lawsuit are concerns about Chancellor's Regulation D-210, portions of which Your Honor enjoined in September 2024. Since that time, DOE has been working assiduously on revisions to the regulation. It is expected these revisions will be posted for public comment by October 31, 2025 and for approval by the Panel for Educational Policy at its meeting on December 17, 2025. The proposed revisions are substantial and likely to render the instant allegations moot.

For some months, the parties have been planning to engage in settlement in good faith. However, settlement discussions were premised on City Defendants' disclosure of a crucial document to Plaintiffs' counsel. For a variety of reasons, the document was not yet ready to

¹ Ms. Sutton and Ms. Manzanares have been dismissed from the suit in their individual capacities. ECF No. 102.

disclose until last week, and, indeed, we wrote to Plaintiffs' counsel on August 28, 2025 and informed them that we expected to be able to share it with them by September 18th, 2025 at the earliest, and at the latest, by September 25, 2025. A settlement conference before Magistrate Judge Cho is currently scheduled for October 16, 2025, with letters due to Magistrate Judge Cho no later than October 9, 2025.

Plaintiffs filed a pre-motion letter on September 10, 2025, seeking permission to move for summary judgment, despite the fact that the parties have been preparing for settlement negotiations, and that Judge Cho has scheduled time on his calendar for settlement discussions. Plaintiffs were also aware that City Defendants intended to provide this crucial settlement document to Plaintiffs on or about September 18, 2025.

City Defendants reached out to Plaintiffs on September 18, 2025, reiterating the opportunity to resolve this matter without motion practice. Plaintiffs declined to withdraw their pre-motion conference letter or to consent to City Defendants' request to stay their time to respond to Plaintiffs' pre-motion conference letter until after the scheduled settlement conference. The reason Plaintiffs provided was their purported belief that motion practice was a faster way to achieve their clients' goals than settlement discussions. This position is inconsistent with the parties' conversations over the summer months.

Engaging in motion practice prior to the parties' scheduled settlement conference and prior to the publication of the proposed revisions to the regulation would be premature, inefficient and a waste of judicial resources.

Accordingly, City Defendants respectfully request the Court extend their time to respond to Plaintiffs' pre-motion letter until December 19, 2025, with a status update to be provided to the Court shortly after the settlement conference in October.

Thank you for considering this request.

Respectfully,

/s/ Jordan Doll
Jordan Doll
Assistant Corporation Counsel