

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| MARIBEL BAEZ; FELIPA CRUZ; RD., ON BEHALF OF | : | |
| HER MINOR CHILD, A.S.; on their own behalf and | : | |
| on behalf of all others similarly situated; | : | |
| UPPER MANHATTAN TOGETHER, INC.; and | : | |
| SOUTH BRONX CHURCHES SPONSORING | : | |
| COMMITTEE, INC., | : | |
| | : | |
| | : | |
| Plaintiffs, | : | |
| | : | 13 Civ. 8916 (WHP) |
| vs. | : | |
| | : | |
| | : | |
| NEW YORK CITY HOUSING AUTHORITY, | : | |
| | : | |
| | : | |
| Defendant. | : | |
| | : | |
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**PLAINTIFFS’ SECOND SUPPLEMENTAL MEMORANDUM IN SUPPORT OF THEIR
MOTION TO ENFORCE OR MODIFY THE STIPULATION AND ORDER, FOR
APPOINTMENT OF A MASTER AND FOR CONTEMPT**

On or about August 14, 2015, Plaintiffs received the fifth quarterly report from the New York City Housing Authority (“NYCHA”). Attached as Exhibit 1 is a copy of the summary of the Post-Closed Work Order Contacts portion of that report, as well as a “Detailed Report” that NYCHA provided with that summary. The summary shows that reoccurrences were reported in 27% of the cases, up from 22% in the previous quarter. The average for the five quarters is now approximately 30%.

As with the previous reports, the Detailed Report does not disclose the names and addresses of the tenants, even though such disclosure is now possible because the Court entered a Protective Order (Doc. 71) on August 10, 2015. Nor has NYCHA provided copies of call records in response to Plaintiffs’ request of July 13, 2015. *See* Second Supplemental Declaration of Steven M. Edwards dated July 24, 2015, ¶14 (Doc. 69) & Ex. 3 (Doc. 69-9). NYCHA’s

refusal to respond to this and other requests leaves many unanswered questions, but one thing is clear: NYCHA's contention that results are improving is refuted by its own reports.

Plaintiffs have not attempted, at this point, to perform the other analyses for the fifth quarter report that they performed for the previous reports. Plaintiffs can perform those analyses, and provide the rest of the fifth quarter report, if the Court believes that would be helpful.

CONCLUSION

For the foregoing reasons, the Court should grant Plaintiffs' motion.

Dated: New York, New York
August 20, 2015

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