

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:
MARK NUNEZ, et al.,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
CITY OF NEW YORK, et al.,	: 11 Civ. 5845 (LTS)(JCF)
	:
Defendants.	: <b>NOTICE OF MOTION</b>
	:
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	:
UNITED STATES OF AMERICA,	:
	:
Plaintiff-Intervenor,	:
	:
- against -	:
	:
CITY OF NEW YORK and NEW YORK CITY	:
DEPARTMENT OF CORRECTION,	:
	:
Defendants.	:
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PLEASE TAKE NOTICE that, upon the annexed Declaration of Anna E. Friedberg, dated July 1, 2015, and the exhibits thereto, and the accompanying memorandum of law, Rodney Brye, Shameik Smallwood, Travis Woods and Oscar Sanders, as the class representatives of the certified class in this action, through class counsel, Ropes & Gray LLP, Emery Celli Brinckerhoff & Abady LLP, and The Legal Aid Society Prisoners’ Rights Project, together with the United States of America, through its counsel, the United States Attorney’s Office for the Southern District of New York, will move this Court, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 12D, New York, New York 10007, on such date and time as the Court determines, for an order (i) granting preliminary approval of the proposed

Consent Judgment executed by the parties (Exhibit A to the Friedberg Declaration), (ii) approving the content and method of distribution of the notice to the class (Exhibit B to the Friedberg Declaration; see Exhibit C thereto), (iii) setting dates for the process leading up to and including the Fairness Hearing, and (iv) revising the definition of the certified class as agreed to by the parties in the proposed Consent Judgment.

Dated: New York, New York  
July 1, 2015

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All other signatories listed, and on whose behalf the filing is submitted, consent to its filing.

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