



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

GEORGIA M. PESTANA
Corporation Counsel

Iván A. Méndez, Jr.
Labor and Employment Law Division
Telephone: (212)356-2450
Fax No.: (212) 356-8760
E-mail: imendez@law.nyc.gov

August 19, 2021

BY NYSCEF

Hon. Lyle E. Frank
Justice, Supreme Court of the State of New York
80 Centre Street, Part 52 City IAS Part
New York, NY 10013

Re: Espinal v. NYC Dept. of Education, et al.
Index No.: 151246/2021

Dear Justice Frank:

I am an Assistant Corporation Counsel in the office of Georgia M. Pestana, Corporation Counsel of the City of New York, attorney for Defendants in the above-referenced action. I write to respectfully request that Your Honor “so order” the enclosed stipulation of adjournment, adjourning the return date of defendants’ motion to dismiss from August 31, 2021 to September 21, 2021.

By consent of the parties, this matter was adjourned twice previously. I recently took over this case for Nick Collins, who has since left the Law Department. The additional time will allow me an opportunity to familiarize myself with the case and the motion papers, and prepare defendants’ reply.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Iván A. Méndez, Jr.
Iván A. Méndez, Jr.
Assistant Corporation Counsel

Encl.

cc: All Counsel of Record (Via NYSECF)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

.....X

Rafaela Espinal f/k/a Rafaela Espinal-Pacheo,

Plaintiffs,

STIPULATION

- against -

New York City Department of Education and Richard Carranza, Chancellor of the New York City Department of Education Individually, Cheryl Watson-Harris, Former First Deputy Chancellor of the New York City Department of Education Individually, David Hay, Ursulina Ramirez, New York City Department of Education Chief Operating Officer Individually and “John Does” and “Jane Does” 1-25 whose names are currently unknown,

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Defendants.

.....X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the respective parties, that Defendants New York City Department of Education, Richard Carranza, Cheryl Watson-Harris, David Hay, and Ursulina Ramirez (hereinafter “Defendants”) motion to dismiss currently returnable on August 31, 2021 shall be adjourned to September 21, 2021.

IT IS FURTHER STIPULATED AND AGREED that, Defendants shall serve their reply, if any, by September 20, 2021.

IT IS FURTHER STIPULATED AND AGREED that, a facsimile or electronic

signature on this stipulation shall have the same force and effect as an original signature. Dated:

August 19, 2021
New York, New York

Goldberg & Markus PLLC
Attorneys for Plaintiff
14 Wall Street, Suite 2064
New York, New York 10005
(212) 697-3250
hsetton@grlawpllc.com

GEORGIA M. PESTANA
*Corporation Counsel of the
City of New York*
Attorney for Defendants
100 Church Street
New York, New York 10007
(646) 939-7409
imendez@law.nyc.gov

Helen J. Setton

By: _____
Helen J. Setton, Esq.

By: _____
Iván A. Méndez, Jr.

SO ORDERED: _____ DATE: _____