

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

MATTHEW KEIL et al.

| | |
|-----------------------------|--------------|
| Plaintiff | Case Number |
| vs. | 1:21-cv-8773 |
| THE CITY OF NEW YORK et al. | |
| Defendant | |

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

MICHAEL KANE et al.

| | |
|-----------------------|------------------|
| Plaintiff | Case Number |
| vs. | 21-cv-7863 (VEC) |
| BILL DE BLASIO et al. | |
| Defendant | |

Status of Earlier Filed Case:

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

Open

(If so, set forth procedural status and summarize any court rulings.)

On October 12, 2021, Judge Valerie Caproni denied the Plaintiffs' application for a preliminary injunction. On October 25, 2021 Plaintiffs filed a Notice of Interlocutory Appeal to the United States Court of Appeals for the Second Circuit from Judge Valerie Caproni's October 12, 2021 Order. On October 25, 2021, the Court stayed the instant matter pending resolution of the appeal before the Second Circuit.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Both cases concern the constitutionality of the Defendants' policy of mandatory vaccination of school employees.

Signature: /s/ Barry Black
Nelson Madden Black LLP

Date: 10/27/2021

Firm: _____