

STROOCK

August 11, 2022

Dina Kolker
Direct Dial: 212.806.5606
dkolker@stroock.com

VIA NYSCEF

Hon. W. Franc Perry, III
Supreme Court of New York, New York County
60 Centre Street, Room 570
New York, NY 10007

Re: Council of School Supervisors and Administrators et al v. Board of Education of the City School District of the City of New York et al, Index #: 155220/2022

We represent Petitioners Council of School Supervisors and Administrators ("CSA"), Mark Cannizzaro, Andrea Gnecco, Jessica Rosinsky, Joselyn Espinoza, and Pieranna Vaccaro in the above-captioned matter.

We write on behalf of Petitioners and Respondents jointly to update the Court regarding ongoing discussions between the parties. Respondent Board of Education of the City School District of the City of New York ("DOE") has recently agreed to restore individual Petitioners Andrea Gnecco, Jessica Rosinsky, Joselyn Espinoza, and Pieranna Vaccaro to payroll this September (i.e. the beginning of the 2022-2023 school year), in a reassigned capacity. It is our understanding a similar arrangement has been reached with regard to similarly situated DOE employees represented by the United Federation of Teachers.

While the parties are still discussing issues relating to backpay arising from those Petitioners' placement on leave without pay beginning April 25, 2022, we thought it appropriate to notify the Court of the status of these discussions, and to advise that a preliminary injunction for the return of the natural petitioners to payroll is no longer at issue in this matter. Accordingly, the parties have executed a stipulation to this effect, which they have submitted for the Court's approval.

Please note that Petitioners withdraw only the portion of the Petition seeking a preliminary injunction for restoration of Petitioners Gnecco, Rosinsky, Espinoza, and Vaccaro to payroll, and do not withdraw the remainder of their claims, including for backpay. The parties are continuing to discuss these outstanding matters.

August 11, 2022

Respectfully submitted,

/s/ DINA KOLKER

STROOCK & STROOCK & LAVAN LLP

Dina Kolker, Esq.

180 Maiden Lane

New York, New York 10038

(212) 806-5400

dkolker@stroock.com

and

DAVID A. GRANDWETTER, ESQ.

Council of School Supervisors and

Administrators

40 Rector Street, 12th Floor

New York, NY 10006

(718) 852-3000

david@csa-nyc.org

Co-Counsel for Petitioners

CC: all counsel of record

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

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In the Matter of the Application of :

COUNCIL OF SCHOOL SUPERVISORS AND :
ADMINISTRATORS; MARK CANNIZZARO, as :
President of the Council of School Supervisors and :
Administrators; ANDREA GNECCO; JESSICA :
ROSINSKY; JOSELYN ESPINOZA; and PIERANNA :
VACCARO, :

Petitioners, :

For an Order and Judgment Pursuant to Article 78 of the :
Civil Practice Law and Rules, :

-against- :

BOARD OF EDUCATION OF THE CITY SCHOOL :
DISTRICT OF THE CITY OF NEW YORK and DAVID :
C. BANKS, as Chancellor of the City School District of :
the City of New York, :

Respondents. :
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Index No. 155220/2022

Hon. W.F. Perry, J.S.C.

**[SO-ORDERED]
STIPULATION OF
PARTIAL WITHDRAWAL
OF CLAIM**

Motion Sequence 001

WHEREFORE, Respondent Board of Education of the City School District of the City of New York has agreed to restore individual Petitioners Andrea Gnecco, Jessica Rosinsky, Joselyn Espinoza, and Pieranna Vaccaro to payroll effective the beginning of the 2022-2023 school year in reassigned capacities; and

WHEREFORE, the parties are currently engaged in further discussions regarding, *inter alia*, backpay arising from the aforementioned Petitioners' placement on leave without pay beginning April 25, 2022;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, as represented below, that the portion of the Verified Petition seeking a preliminary injunction

