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NEW YORK CIVIL LIBERTIES UNION

125 Broad Street, 19<sup>th</sup> Floor  
New York, NY 10004  
212.607.3300  
212.607.3318  
www.nyclu.org

Christopher Dunn  
Associate Legal Director  
cdunn@nyclu.org

BY ECF ONLY

July 8, 2015

Honorable Vernon S. Broderick  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Lusero et al. v. City of New York*, 14 Civ. 9533 (VSB)

Dear Judge Broderick:

On behalf of the plaintiffs and the defendant in this matter, which challenges a New York City policy barring visits to gravesites at the city's potter's field (Hart Island), I write to inform the Court that the parties have reached a settlement. I enclose a copy of that settlement, which has been signed by counsel for the plaintiffs and the defendant.

This case was filed as a putative class action under Rule 23(b)(2) of the Federal Rules of Civil Procedure, and, as provided in paragraph 24 of the proposed settlement, the parties have stipulated to certification of a class. Given that, we recognize that Court approval of the proposed settlement is subject to the review process set out in Rule 23(e). The parties are working together to prepare a submission to the Court concerning notice to class members and a fairness hearing and plan to make that submission by Friday, July 17. As the review process moves forward, the parties have agreed to start implementing the settlement (see paragraph 25), and the first gravesite visits are scheduled for Sunday, July 19.

To the extent the Court wishes to have a conference about the process of reviewing the proposed class-action settlement, counsel are available at the Court's convenience. Otherwise, the parties will submit a proposed notice and order for a fairness hearing by July 17.

Respectfully submitted,

*/s/ Christopher Dunn*

CHRISTOPHER DUNN  
Plaintiffs' Counsel

c: Assistant Corporation Counsels Jonathan Pines and Omar Tuffaha (by ECF)