

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

OLALEKAN ABOUBAKAR, CHRISTIAN
BATISTA, BRIDGET CAPOBIANCO, ANATOLIY
ELKIN, JAMEL LOFTIN, BRANDON WINN, on
behalf of themselves and all others similarly situated,
and DAVID AVRAHAM, LEONARD BRUCE,
TROY DANIELS, DANIELA GONZALEZ,
RODDRICK INGRAM, ANDREW LEE, SIDNEY
LOUIS,

Plaintiffs,

-against-

THE CITY OF NEW YORK, CAPTAIN WILLIAM
TOBIN, LIEUTENANT THOMAS BOUYER,
SERGEANT KELLEY SEALY, CAPTAIN JOHN
MARCHICA, ASSISTANT CHIEF GARY
STREBEL, ASSISTANT CHIEF DONNA JONES,
ROBERT PITTMAN, ANDREW TOWNES, DENZIL
SNODDY, JOHN/JANE DOES 1-5 (representing
municipal officials responsible for the operation and
conditions of Brooklyn Central Booking but who have
not yet been identified by defendants),

Defendants.

Case No. 1:20-CV-01716 (NGG) (PCG)

DOMINICK BRENNAN, JOSEPH CARBONE,
DWIGHT FRANCE, GEOFFREY MAUGERI, GARY
REALMUTO, on behalf of themselves and all others
similarly situated, and TIVON FORMAN, LATOYA
HOLMES- MCFADDEN, CARMINE PERSICO,

Plaintiffs,

-against-

Case No. 19-CV-2054 (NGG) (PCG)

THE CITY OF NEW YORK, CAPTAIN WILLIAM
TOBIN, LIEUTENANT THOMAS BOUYER,
SERGEANT KELLEY SEALY, CAPTAIN JOHN
MARCHICA, ASSISTANT CHIEF GARY STREBEL,
ASSISTANT CHIEF DONNA JONES, ROBERT
PITTMAN, ANDREW TOWNES, DENZIL
SNODDY, JOHN/JANE DOES 1-5 (representing
municipal officials responsible for the operation and
conditions of Brooklyn Central Booking but who have
not yet been identified by defendants),

Defendants.

BRIDGET CAPOBIANCO, ALEX LEROY,
CHRISTIAN BATISTA, KHALIFA FALL, MARIO
CAMPAZ, MOHAMED ("MOE") TAHAT,
FRANCISCO DIAZ, CHARLES MORRIS, RYAN
LEWIS, ANTHONY CANGEMI, MICHAEL BOSCO,
GARY ABRAMS, JISOO SUN, CLAYTON TAPP,
DESTINY PEREZ, ONA KELSAY, JOSEPH
PETILLO, JUSTIN TAGLIAVIA, ARTHUR DUL,
NICHOLAS VITALE, JOHNNY LUZINCOURT,
MARGO WOODLEY, GLENDESHA
MACDONALD, JESSICA WILLIAMS, RYAN
PORTER, DESTINY MORENO, JAYQUAN
JOHNSON, DYLAN RICHARDSON, LIONEL
ALVAREZ, JURARD ST. HILLAIRE, KEVON
YARD- PROVIDENCE, SIDNEY LOUIS, TROY
DANIELS, REN JEFFREY, PEDERSIN PELISSIER,
HENS WORTH EDWARDS, GREGORY MAUGERI,
PAUL SIMPSON, WILLIAM GORMAN, SEYMIAH
CAMPBELL, ROUSZ DELUCA, CALVIN LUCKY,
ROBERT PEARLSTEIN, MARK TURNER,

JOHNNIE ENGLISH, NESTOR HERNANDEZ,
JACQUIL CAMPBELL, RAYSHAWN MOORE,
SIMON VIKTORENKO, RAFAEL HERNANDEZ,
JAVAAS WEBSTER, JOSE ROMAN, CODEY
FORREST, DARIUS JONES, JOSHUA MARSHALL,
ANDRIAN JONES, RICKY PEREZ, RYAN
MORANT, Individually and on Behalf of a Class of all
Others Similarly Situated,

Plaintiffs,

-against-

THE CITY OF NEW YORK, MAYOR BILL DE
BLASIO, MARCOS GONZALEZ SOLER, Director of
the Mayor's Office of Criminal Justice, DERMOT
SHEA, Commissioner of the New York City Police
Department, ASSISTANT CHIEF DONNA JONES,
Commanding Officer of the New York City Police
Department's Criminal Justice Bureau, JANINE
GILBERT, Assistant Deputy Commissioner of the New
York City Police Department, LISETTE CAMILO,
Commissioner of the Department of Citywide
Administrative Services, DEPUTY INSPECTOR
GARFIELD MCLEOD, Commanding Officer of
Brooklyn Court Section, CAPTAIN STANLEY
GEORGE, Commanding Officer of Bronx Court
Section, CAPTAIN NOEMA IOFFE, Commanding
Officer of Manhattan Court Section, CAPTAIN
MICHAEL CORBETT, Commanding Officer of
Queens Court Section, LIEUTENANT CARMEN
LOPERENA, Commanding Officer of Richmond
County Court Section, LIEUTENANT THOMAS
BOUYER, former Commanding Officer of Richmond
County Court Section, CAPTAIN DAMIAN GARCIA,
Commanding Officer of Queens Court Section, and
JOHN/JANE DOES 1-10 (unidentified officials also
liable for the conditions in the City of New York's
Central Booking facilities),

Defendants.

Case No. 1:21-CV-06125 (NGG) (PCG)

**~~[Proposed]~~ ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT**

This Court has reviewed the motion for preliminary approval of class settlement filed in this action, including the Stipulation of Settlement (“Settlement”). Based on this review and the findings below, the Court finds good cause to grant the motion.

FINDINGS:

1. The Court hereby preliminarily approves the Settlement and the terms and conditions of settlement set forth therein, subject to further consideration at the Final Approval Hearing.

2. The Court has conducted a preliminary assessment of the fairness, reasonableness and adequacy of the Settlement and hereby finds that the settlement falls within the range of reasonableness meriting possible final approval.

3. The Notice and Claim Form (attached to the Settlement), and their manner of transmission, comply with Rule 23 and due process because the notice and forms are reasonably calculated to adequately apprise class members of (i) the pending lawsuits; (ii) the proposed Settlement, and (iii) their rights, including the right to participate in the Settlement, exclude themselves from the Settlement, or object to the Settlement.

4. For settlement purposes only, the Class is so numerous that joinder of all Settlement Class Members is impracticable.

5. For settlement purposes only, Plaintiffs’ claims are typical of the Settlement Class Members’ claims.

6. For settlement purposes only, there are questions of law and fact common to the Settlement Class which predominate over any questions affecting only individual Settlement Class Members.

7. For settlement purposes only, class certification is superior to other available

methods for the fair and efficient adjudication of the controversy.

IT IS ORDERED THAT:

8. **Settlement Approval:** The Settlement, including the Claim Form and Notices attached to the Settlement as Exhibits 1-4, are preliminarily approved.

9. **Appointment of the Settlement Administrator and the Provision of Class Notice.** Angeion Group is appointed as the Settlement Administrator. The Settlement Administrator will notify Class Members of the settlement in the manner specified in the Settlement. The Court further finds that the Notice plan described in the Settlement is the best practicable under the circumstances. The Notice plan is fair and reasonably calculated under the circumstances to inform the Settlement Class of the pendency of the action, certification of a Settlement Class, the terms of the Settlement, Class Counsel's application for a fee award and service awards for the Named Plaintiffs, the claims process, and the rights of the Class members to opt-out of the Settlement Class or object to the Settlement. The Notices constitute sufficient notice to all persons entitled to notice and all applicable requirements of law, including, but not limited to, Federal Rule of Civil Procedure 23 and the Constitutional requirement of due process.

10. **Claims Process.** Class Members who want to receive an award under the Settlement must complete and submit a Claim Form to the Settlement Administrator within 90 days after the Notice Date, as specified in the Notices.

11. **Objection to Settlement.** Any Class Member who has not submitted a timely written exclusion request who wishes to object to the fairness, reasonableness or adequacy of the Settlement must submit a written objection to the Clerk of Court postmarked within 75 days after the Notice Date. Any objection regarding or related to the Settlement must include (a) the objector's name, address and telephone number; and (b) the factual and legal basis for the objection. Only Settlement Class Members who submit a timely objection may speak at the Final

Approval Hearing. If a Settlement Class Member makes an objection through an attorney, the Settlement Class Member will be responsible for his or her personal attorney's fees and costs.

12. **Failure to Object to Settlement.** Settlement Class Members who fail to object to the Settlement in the manner specified above will (a) be deemed to have waived their right to object to the Settlement; (b) be foreclosed from objection (whether by a subsequent objection, intervention, appeal, or any other process) to the Settlement Agreement; and (c) not be entitled to speak at the Final Approval Hearing.

13. **Requesting Exclusion.** Settlement Class Members may elect not to be part of the Class and not to be bound by this Settlement. Individual requests for exclusion may be submitted to the Settlement Administrator by mail and postmarked no later than the Opt-Out Deadline within 75 days after the Notice Date. All requests for exclusion must be in writing and signed by the Settlement Class Member, including the Settlement Class Member's name, date of birth, address and telephone number, and clearly state that the Settlement Class Member wishes to be excluded from the Settlement.

14. **Provisional Certification.** The Settlement Class is provisionally certified as (a) all persons detained in Brooklyn Central Booking during the period April 8, 2017 to December 27, 2019, and (b) all persons detained in a Central Booking facility during the period February 3, 2020 to March 1, 2023.

15. **Conditional Appointment of Class Representatives.** Plaintiffs Olalekan Aboubakar, Christian Batista, Anatoliy Elkin, Jamel Loftin, Brandon Winn, David Avraham, Leonard Bruce, Troy Daniels, Daniela Gonzalez, Roddrick Ingram, Andrew Lee, Sidney Louis, Dominick Brennan, Joseph Carbone, Dwight France, Geoffrey Maugeri, Gary Realmuto, Tivon Forman, Latoya Holmes-McFadden, Carmine Persico, Bridget Capobianco, Alex Leroy, Khalifa

Fall, Mohamed ("Moe") Tahat, Francisco Diaz, Charles Morris, Ryan Lewis, Anthony Cangemi, Michael Bosco, Gary Abrams, Jisoo Sun, Clayton Tapp, Destiny Perez, Ona Kelsay, Nicholas Vitale, Johnny Luzincourt, Margo Woodley, Glendesha Macdonald, Jessica Williams, Ryan Porter, Jayquan Johnson, Dylan Richardson, Lionel Alvarez, Jurard St. Hillaire, Kevon Yard-Providence, Ren Jeffrey, Pedersin Pelissier, Hensworth Edwards, Gregory Maugeri, Paul Simpson, William Gorman, Seymiah Campbell, Rousz Deluca, Calvin Lucky, Robert Pearlstein, Mark Turner, Johnnie English, Nestor Hernandez, Simon Viktorenko, Rafael Hernandez, Javaas Webster, Jose Roman, Codey Forrest, Darius Jones, Andrian Jones, Ricky Perez, and Ryan Morant.

16. **Conditional Appointment of Class Counsel:** Giskan Solotaroff & Anderson LLP, Richard Cardinale, Esq., Scott A. Korenbaum, Esq., and Bergstein & Ullrich are conditionally appointed as Class Counsel.

17. **Stay of Dates and Deadlines:** All discovery and pretrial hearing proceedings and deadlines are stayed and suspended until further notice from the Court, except for such actions as are necessary to implement the Settlement and this Order.

18. **Final Approval Hearing.** On Oct 22, 2026, at 11:00 a.m., or approximately ~~120 days after the date of this Order~~, this Court will hold an in-person Fairness Hearing to determine whether the Settlement should be finally approved as fair, reasonable and adequate. Plaintiffs' motion in support of Final Approval shall be filed at least ten (10) days prior to the Final Approval Hearing.

Dated: June 10, 2026
Brooklyn, N.Y.

So Ordered:

s/Nicholas G. Garaufis, USDJ

Nicholas G. Garaufis, U.S.D.J.