

d/f

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-and-

**ORDER**

**07-CV-2067 (NGG) (RLM)**

THE VULCAN SOCIETY, INC., *for itself and on behalf of its members*, JAMEL NICHOLSON, and RUSEBELL WILSON, *individually and on behalf of a subclass of all other victims similarly situated seeking classwide injunctive relief*;

ROGER GREGG, MARCUS HAYWOOD, and KEVIN WALKER, *individually and on behalf of a subclass of all other non-hire victims similarly situated*; and

CANDIDO NUÑEZ and KEVIN SIMPKINS, *individually and on behalf of a subclass of all other delayed-hire victims similarly situated*,

Plaintiff-Intervenors,

-against-

THE CITY OF NEW YORK,

Defendant.

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NICHOLAS G. GARAUFIS, United States District Judge.

Before the court are Claimant 200001810's objection to Special Master Peace's recommendation that he is ineligible for priority hiring and monetary relief, and Claimant 200000323's objection to Special Master Cohen's recommendation that he is eligible for priority

hiring and monetary relief.<sup>1</sup> For the reasons explained below, the court concludes that the objections are **OVERRRULED**.

On January 22, 2013, Special Master Peace recommended that Claimant 200001810 was eligible for priority hiring and monetary relief. On May 2, 2013, the court adopted the recommendation. (See May 2, 2013, Mem. & Order Adopting R&Rs (Dkt. 1106)). On June 13, 2013, the court issued an order approving the final list of claimants deemed eligible for priority hiring relief. (See Order Approving Priority Hire Lists (Dkt. 1147).) On August 27, 2013, the court received Claimant 200001810's objection to Special Master Cohen's recommendation. (Special Master's Ltr. Transmitting Obj. (Dkt. 1193).)

Claimant 200001810 objects that he should be compensated for lost wages incurred in taking time off to sit the written examination. (See Objection (Ex. 1 to Special Master's Ltr. Transmitting Obj. (Dkt. 1193).) However, this issue is outside the scope of the relief contemplated by this litigation.

On January 22, 2013, Special Master Cohen recommended that Claimant 200000323 was eligible for priority hiring and monetary relief. On May 2, 2013, the court adopted the recommendation. (See May 2, 2013, Mem. & Order Adopting R&Rs (Dkt. 1106)). On June 13, 2013, the court issued an order approving the final list of claimants deemed eligible for priority hiring relief. (See Order Approving Priority Hire Lists (Dkt. 1147).) On August 27, 2013, the court received Claimant 200000323's objection to Special Master Cohen's recommendation (Special Master's Ltr. Transmitting Obj. (Dkt. 1193).)

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<sup>1</sup> An overview of the process for determining eligibility for relief, as well as the applicable standards is set forth in the court's May 9, 2013, Memorandum & Order. (See May 9, 2013, Mem. & Order Adopting R&Rs (Dkt. 1112).)

Claimant 200000323 objects that he is entitled to compensatory damages. (See Objection (Ex. 2 to Special Master's Ltr. Transmitting Obj. (Dkt. 1193).) This court has deemed that he is eligible for compensatory damages. Therefore, he has not provided any objection.

Having considered both late objections, the court finds that they do not merit any change to the eligibility determination that the court has issued. Claimant 200001810's objection and Claimant 200000323's objection are OVERRULED.

SO ORDERED.

Dated: Brooklyn, New York  
September 3, 2013

s/Nicholas G. Garaufis  
NICHOLAS G. GARAUFIS  
United States District Judge