



THE CITY OF NEW YORK  
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**Via NYSCEF**

Justice Lyle E. Frank  
Supreme Court of the State of New York  
60 Centre Street  
New York, New York 1007

Re: NYC Organization of Public Service Retirees, Inc. et al. v. Renee  
Campion et al  
Index No: 158815/2021  
Law Dept. No.: 2021-028140

Dear Justice Frank:

We write to inform the Court concerning the timetable referenced in last week's status report. The City and The Alliance are confident that the enhanced educational informational efforts undertaken since Your Honor's issuance of the preliminary injunction is proceeding at pace and successfully. We, therefore, hope that at the earliest opportunity the Court will permit Respondents to proceed with an April 1, 2022 implementation date.

In consideration of certain regulatory requirements and practical considerations, to achieve an April 1<sup>st</sup> implementation, it is necessary to undertake certain data preparation and transfer functions. As previously explained, once the data preparation has begun, while the City would still be able to process individual choices regarding plans throughout the time periods set forth in the Court's Order, any effort to reverse the process would, in the literal sense, require shutdown of the City's payroll system and the work of hundreds of people each working hundreds of hours to manually transfer each retiree. Consequently, Respondents respectfully request that the conference now set for February 23<sup>rd</sup>, be advanced to the soonest possible date, if possible this coming week, and that the Court soon thereafter, if not from the bench, issue a final determination on the proceeding. Only through such a definitive, imminent, determination can the City and The Alliance move forward with an April 1<sup>st</sup> implementation date without risk to City operations and delays, which could be confusing, if not injurious, to retirees who may be anticipating the April 1<sup>st</sup> date.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/

Rachel M. DiBenedetto

Assistant Corporation Counsel

/s/ \_\_\_\_\_

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cc: **(VIA NYSCEF)**

All counsel of record