

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

NEW HOPE FAMILY SERVICES, INC.,
a New York nonprofit corporation,

Plaintiff,

5:18-cv-1419 (MAD/TWD)

vs.

SHEILA J. POOLE, in her official capacity as the
Acting Commissioner for the Office of Children and
Family Services for the State of New York,

JOINT STATUS REPORT

Defendant.

Pursuant to the Court's Order dated November 16, 2020, the parties jointly submit the following status report:

1. On November 16, 2020, the Court issued an Order granting the parties' joint request to stay proceedings in this case pending the Supreme Court's decision in *Fulton v. City of Philadelphia*. The Court ordered the plaintiff to submit a status report by March 31, 2021, indicating whether the Supreme Court has decided *Fulton* and whether the stay should continue. (ECF No. 63).

2. The Supreme Court has not yet issued a decision in *Fulton*. An order will likely issue by the end of June 2021.

3. The parties agree that the current stay should continue. The Supreme Court's decision in *Fulton* will likely resolve or substantially limit the issues presented in this case. Accordingly, the stay will preserve significant client and judicial resources.

4. The parties respectfully suggest that the Court direct the parties to submit a joint status report within two weeks of the issuance of the Supreme Court's decision in *Fulton*.

Respectfully submitted this 31st day of March, 2021,

s/ Mark A. Lippelmann

Mark A. Lippelmann, Esq.
Alliance Defending Freedom
Attorneys for Plaintiff
15100 N 90th St
Scottsdale, AZ 85260
Telephone: (480) 444-0020

s/ Adrienne J. Kerwin

Adrienne J. Kerwin, Esq.
Assistant Attorney General
Attorney for Defendant
The Capitol
Albany, NY 12224
Telephone: (518) 776-2608

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of March, 2021, I filed a true and accurate copy of the foregoing document with the Clerk of Court using the CM/ECF system, which automatically sends an electronic notification to the following attorneys of record:

s/ Mark A. Lippelmann
Mark A. Lippelmann, Esq.
Alliance Defending Freedom
Attorneys for Plaintiff
15100 N 90th St.
Scottsdale, AZ 85260
Telephone: (480) 444-0020