

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

THE COMMISSIONER OF THE NEW YORK
CITY DEPARTMENT OF SOCIAL SERVICES,

Plaintiff,

v.

BUCKEYE COACH LLC; CARDUAN TOURS
LLC; CLASSIC ELEGANCE COACHES LLC;
COASTAL CREW CHANGE COMPANY LLC;
EJECUTIVO ENTERPRISES INC.; EL PASO
UNITED CHARTERS LLC; GARCIA AND
GARCIA ENTERPRISES INC. (D.B.A.
FRANCISCO TOURS); JY CHARTER BUS INC.;
LILY'S BUS LINES INC.; MAYO TOURS, INC.;
NORTENO EXPRESS LLC; ROADRUNNER
CHARTERS INC.; SOUTHWEST CREW
CHANGE COMPANY LLC; TRANSPORTES
REGIOMONTANOS INC. (D.B.A. AUTOBUSES
REGIOMONTANOS); VLP CHARTER LLC;
WINDSTAR LINES INC.; and WYNNE
TRANSPORTATION LLC.,

Defendants.

Index No. 150122/2024

STIPULATION

IT IS HEREBY STIPULATED AND AGREED TO by counsel for the Plaintiff Commissioner of the New York City Department of Social Services and counsel for the Defendant Roadrunner Charters Inc. that:

1. Pending an order and judgment of this Court on the merits of the Plaintiff Commissioner's cause of action to enforce New York Social Services Law Section 149 against the Defendant Roadrunner Charter Inc.'s transport of individuals known as migrants from Texas to New York City, and/or from Texas to the vicinity of New York City, including but not limited to New Jersey, who are then provided with further transportation to New York City, and without prejudice to the Defendant Roadrunner Charters Inc. contesting permanent relief in this matter, the Defendant Roadrunner Charters Inc. will refrain forthwith from transporting individuals known as migrants from Texas to New York City, and/or from Texas to the vicinity of New York City, including but not limited to New Jersey, who are then provided with further transportation to New York City.

2. All other relief sought against the Defendant Roadrunner Charters Inc. in the pending January 9, 2024 Order To Show Cause is deferred until a later time in this litigation without prejudice to the Plaintiff Commissioner's right to seek such relief against the Defendant Roadrunner Charter Inc. in this matter, and the Defendant Roadrunner Charters Inc. reserves all rights to contest such other relief in this matter.
3. This Stipulation is enforceable in this litigation. However, the Stipulation, and its terms and conditions, shall not be used as evidence for any other purpose in this litigation and/or against the parties to support the underlying factual or legal claims or defenses in this matter by any party to the Stipulation or by any third party.
4. Notwithstanding this agreement to interim relief pending an order or judgement of this Court, the Plaintiff Commissioner consents to the consideration of the March 4, 2024 sur-reply memorandum of law filed by the Defendant Roadrunner Charters Inc. on March 5, 2024 at the merits stage of this litigation, provided that the Defendant Roadrunner Charters Inc. will not oppose the Plaintiff Commissioner's submission of a responsive memorandum at the merits stage of this litigation,

Dated: March 20, 2024
New York, New York

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: /s/ Steven Banks

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By: /s/ Robert Hantman

Attorneys for Defendant Roadrunner Charters

SO ORDERED THIS __ DAY OF MARCH 2024

Hon. Mary V. Rosado, JSC